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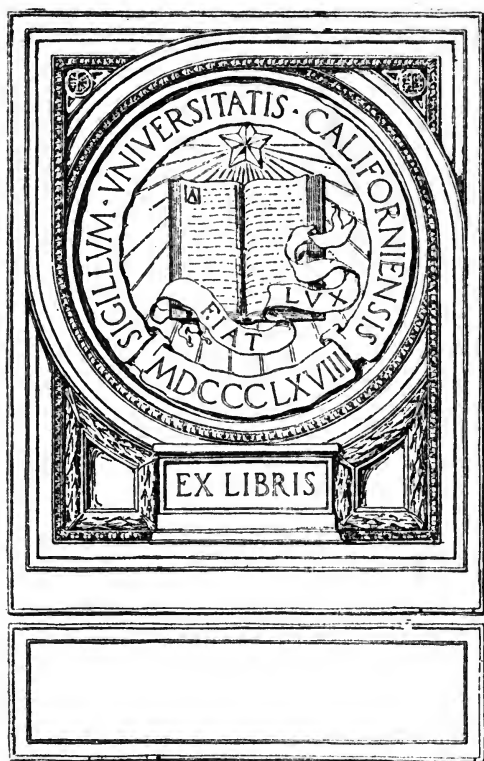
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Giles, William Branch

LETTERS

ADDRESSED TO THE

PEOPLE OF THE UNITED STATES,

BY A

NATIVE OF VIRGINIA,

ON THE SUBJECT OF

ILLEGAL AND IMPROPER DISBURSEMENTS

OF THE

PUBLIC MONEY, &c.

ORIGINALLY PUBLISHED IN THE

FEDERAL REPUBLICAN.

PART FIRST.

*"To such the plunder of a land is given
"When public crimes inflame the wrath of Heaven."*

DR. JOHNSON.

BALTIMORE:

PRINTED AND PUBLISHED BY FREDK. G. SCHAEFFER.

1822.

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District of Maryland, ss.



BE it remembered, that on the twenty-ninth day of January, in the forty-sixth year of the Independence of the United States of America, *Frederick G. Schaeffer*, of said district, hath deposited in this office the title of a Book, the right whereof he claims as proprietor, in the words following, to wit: Letters addressed to the People of the United States, by a Native of Virginia, on the subject of illegal and improper disbursements of the public money. &c. originally published in the Federal Republican. Part first. To such the plunder of a land is given—When public crimes in-
fame the world of Heaven. *Dr. Johnson.*

It comes into my view with an act of the Congress of the United States, entitled, "An act for the encouragement of learning, by securing the copies of maps, charts and books, to the authors and proprietors of such copies, during the times therein mentioned;" and also the act, entitled "An act supplementary to the act, entitled, an act for the encouragement of learning, by securing the copies of maps, charts and books to the authors and proprietors of such copies, during the times therein mentioned, and extending the benefits thereof to the arts of designing, engraving and etching historical and other prints."

PHILIP MOORE, Clerk,
District of Maryland.

TO THE
PEOPLE
OF THE
UNITED STATES.

NO. I.

It is my purpose to address you on a subject of which you, as yet know little or nothing, but concerning which you are much interested.—I allude to the great amount of money due from individuals to the public.—I am induced to this task principally, from a paragraph which not long since appeared in the *National Intelligencer*—a paper which it is well known is under the entire guidance and direction of the President and the principal executive officers of the general government. The paragraph to which I allude is in these words—"It is a strange thing that men who know better should attempt to impose on the people of Maryland the absurdity that these balances [meaning the balances reported to Congress last session] represent monies *actually* due to the government by defaulters, instead of being, what they really are, unsettled and exparte accounts."

Had a statement like this come from any other quarter, I might not perhaps, have deemed it worthy of notice—knowing, as I do, the unworthy means too often resorted to by different political sects to retain, or get into, power. But when I see the executive authority of this nation, by its organ, attempting to impose a most shameful and wicked falsehood upon the people, I can no longer be silent. I have the documents relating to the debts due by individuals to the public treasury before me, and I pledge myself to prove from them to the conviction of every honest, reflecting, and candid man, to whatever party he may belong, that there has been a profligacy and waste in the disbursement of our public treasure, seldom equalled, and never surpassed in the most corrupt governments of the old world.—When indeed, such pains are taken by our executive rulers to conceal from the view of the people the real state of the fiscal concerns of the nation, and to screen individual favorites [no matter to which party they profess to belong] from that odium which ought to attach to every man who would wilfully and wickedly violate his public trust,—we *must* conclude, we cannot help concluding, that these rulers do, in some way or other, actually participate in these public frauds.—This I say, from no party views whatever. I am no party man.

All I wish to see, in this respect, is, honest, faithful and intelligent men, to govern us—*really acting* [not merely professing to act] in conformity to the true principles of our republican government, such as were practised during the administration of general Washington. I never

have, nor will I give up my privilege, as an American citizen, to speak freely and frankly of those who have a direct agency in conducting the affairs of the nation. In doing this, however, I shall certainly abstain from using harsh or abusive epithets. I shall confine my remarks principally to *facts* and the obvious consequences growing out of them. I shall make no charge against any one which I will not *prove*, so far as the public documents and records will be admitted as proof.

To my great astonishment and regret, the people of this country have suffered years and years to pass away, without making the least inquiry about public defaulters. This supineness has been owing to the great and sudden influx of public money, arising from the duties on foreign imported goods, and the consequent ability of the government to meet, and more than meet, all its engagements, without resorting to any other mode of taxation. Our rulers, from the president down, took advantage of this state of things, and have been constantly gulling the people with the false and fallacious assertions, that they were not only prosperous and happy beyond former example, but also *free from public burdens*. See the president's last inaugural speech. But, as every reflecting man expected, it has come to pass, that this source of revenue is fast failing, and in order to meet even current expenses, (for the public faith has already been violated, as shall be proved in the sequel, in not providing the requisite amount for the sinking fund,) we are obliged to resort to *loans in time of profound peace*. This has created some alarm; and, of reflection, who have no more to do with the government than to obey the laws and pay their taxes, begin to seek after the cause of this great deficit in the public treasury. Hence, for the first time, I believe, has been published in the newspapers of the present year, some remarks on the enormous balances against individuals, on the books of the *third auditor* of the treasury. But why nothing has ever been said respecting the balances due to the U. States on the books of the *fourth auditor*, and also on those denominated "Books of Receipts and Expenditures," I am totally at a loss to conceive. I have in my possession, the list of defaulters on these, and in my next, shall give some extracts from them. I will also make some remarks on the letter and communication of the *third auditor*, which accompanied his report of delinquents. In the end, I think I shall be able conclusively to show,—that if the public money had not been most shamefully and scandalously squandered, we need not, for some years to come, even under our present bad system of getting revenue, have been obliged to resort to the miserable and disgraceful shift of borrowing money, to pay the ordinary expenses of government.

A Native of Virginia

NO. II.

A short history of the act of congress of the 3d March 1809, by which the comptroller of the treasury is required to "lay an annual statement before congress, *during the first week of their session*, of the accounts which may have remained more than three years unsettled, or on which balances appear to have been due more than three years, prior to the 30th Sept. preceding." may, perhaps, not be unacceptable to you. It was on that day [3d March 1809] that Mr. Jefferson's second term of office, as president, expired. He was, no doubt, anxious to leave some evidence of his *zeal* for the public interest; and he probably thought there could be no better way of doing this, than by procuring a law to be passed, exhibiting to the public view a list of the public defaulters, and also of carrying into effect a favorite principle of the republicans of the *old school*—namely, that "the sums appropriated by law for each branch of expenditure in the several departments should be solely applied to the objects for which they were respectively appropriated, *and to no other*." Accordingly Mr. Gallatin, then secretary of the treasury, made a draft of the aforesaid act of the 3d March, 1809. It was introduced, I think, into the house of representatives by the then chairman of the committee of ways and means, passed that body; but was so amended in the senate at [a suggestion of I have always understood] of general Samuel Smith, whose brother Robert, the then secretary of the navy, was decidedly hostile to its principles, in regard to specific appropriations] as to render the clause in the act, as it regarded the specific application of each sum appropriated, a perfect nullity. There are other provisions in this law for insuring a due accountability of the public money, such as requiring those intrusted with its disbursement, to keep it in some incorporated bank, & to render monthly returns, &c. of their payments. It has, doubtless, been from the culpable neglect [the mildest term that can with any propriety be applied to the case] of him whose duty it is "*to see that the laws are faithfully executed*," that such vast sums of money have been lost to the community. Pass what laws you will, be they ever so salutary, unless they be "*faithfully executed*," they become as a dead letter, worse than useless.—To be plain; it is the PRESIDENT OF THE UNITED STATES who is principally to blame for the dilapidations recently made on the public treasury.

A word or two as to the *manner* in which the third auditor has communicated to the comptroller the list of delinquents on his books. He, the third auditor, is, I understand, very much censured by some of the democratic party, for the way in which he makes his communication on this subject, as giving too much importance to it. Verily, I am quite of a different opinion. I think his report rather calculated to *screen* some of the defaulters at least. I will, for the present, mention a single instance only of this kind. The case of the late Mr. Brent, paymaster general, *residing at the seat of the general government*, is thus put down by Mr. Hagner, on his list. "*Robert Brent, paymaster general, 40,911 dollars 18 cents—balance on settlement 2d June 1800—reported for suit*." Now if Mr. Hagner did not know of any further debts he

brought against Mr. Brent, this is all very well. But will he say that at the time he made his report, he knew of no further debts to be brought to the account of that officer. I have lately learned, from good authority, that the deficiency in this case is actually above one hundred and sixty thousand dollars, and moreover, that the official bond of the late incumbent was not to be found! It is not from any invidious motive that I have selected this particular case—far from it—I do it for the purpose of showing you how your affairs are managed, even at the seat of government, directly under the eye of the president, whose duty it is to see that the laws are “faithfully executed.” It is said too, that this will be a total loss or nearly so to the public, the delinquent being dead, *and no administration on his estate.* And yet, in the face of this, and a hundred times as much more—we are told by our rulers, through their organ, the National Intelligencer, that “it is a shame to impose on the people the absurdity that these balances represent money *actually due.*” That some of these are unsettled accounts, nobody ever denied; but there is no qualification in the remark made by the editors of the Intelligencer—they attempt to “impose the absurdity,” that they are all “unsettled balances, and exparte accounts!”

I will now advert to one other item in the report of the third auditor, which, though not larger in amount, is, nevertheless, great in point of enormity, and may serve as a sample of the proceedings of the executive officers of this government. Under the proper head, in the third auditor's list, you will find the following entry: “Charles Gobert, contractor, 2,850 dollars, advanced on account of ordnance—it being on account of his contract for the manufacture of musket balls.” A parallel to this case, in point of *principle*, is not, I believe, to be found in the annals of this country. I will give you the following brief account of it, and if any thing which I state be wrong, it can be corrected by reference to the facts at the proper office.

Charles Gobert, is a *Frenchman* of specious manners, but of notoriously infamous character. When Mr. Monroe, the present president, was acting secretary of war, he made a contract with this Gobert for the supply of musket balls, which Gobert called of *specific gravity*; and, contrary to all propriety and the principles which had before governed in making contracts, the *whole amount* of money to be paid was *advanced*, by order of Mr. Monroe, to Gobert, who put it into his pocket, and, perhaps, never thought of the musket balls afterwards; certain it is, he delivered none to the war department. It is true, the formality of taking security for the public money advanced to Gobert was complied with; I say *formality*, because the bond was taken in *such a way*, that the security [a person of the name of Ogden, in New York] is deemed not to be liable for the money, at least so says the U. S. district attorney. You will not, perhaps, be so much surprised at this strange and unjustifiable advance of the public money, when you are informed, that this unprincipled Frenchman had married a relation of the wife of Mr. Monroe. This is the same Gobert, who was afterwards detected in a treasonable intercourse with admiral Cockburn, was arraigned for high treason, but, *by some means*, made his escape. In my next communication I will advert to some other cases of delinquency; particularly to some in the books of the *fourth* auditor, and to others on the books of “Receipts and Expenditures,” which will enable you to determine whether it be not high time for you to arouse from your apathy, and betake your-

selves to *thinking* a little before it is too late. If you do not, ere long, 'correct the procedure,' in regard to the general administration of your affairs, you may, depend upon it, bid a long farewell to liberty and to happiness.

A Native of Virginia.

No. III.

The remarks of the present number will be principally confined to the balances due from individuals to the United States, and standing on the books of the *fourth* auditor of the treasury. One of which balances have, as yet, I believe, been exposed to public view except in the official reports made to congress from the treasury department. The amount on this list is, I think, about two MILLIONS OF DOLLARS; and, I am sorry to add, the greater part of the money will be lost to the public.

To enable you to judge of the shameful and culpable manner in which this money has been disbursed on the public treasury at Washington, I will make a few extracts from one of these reports; and then, after a few comments, leave every reflecting honest man in the country to determine for himself, whether the persons who are entrusted with the management of our public concerns deserve the respect or the confidence of the people.

In the "abstract of balances remaining on the books of the fourth auditor," will be found the following entry:

"Theodorick Armistead, 242,081 dollars, 46 cents, formerly navy agent, deceased, Norfolk, Va." This is, as it appears, a *finally settled account*: and I understand that the delinquent is dead and insolvent. Nor does it appear from the official report that any security was taken, of course this is a total loss to the public. It may be proper to add, that all navy agents are required, by the standing rules of the department, to render *monthly returns* to the proper accounting officer at Washington, of their receipts and disbursements during each month. How then, it will be asked, can there possibly happen such an immense deficiency as is here stated? I answer—because the laws are *not* "faithfully executed;" because the laws, and ancient wholesome regulations, are made to give way to *political expediency*; thus sacrificing the public interest to promote the unlawful views of *party*. But in doing this the executive not only acts with injustice to the community—it is a culpable abandonment of his own duty, as enjoined upon him by the constitution, and a violation of his oath.

The next case to which I will call your attention is entered on the official abstract above referred to, thus:

"John Crabb, 672,041 dollars 37 cents, paymaster, M. C. Washington city—[remark]—he has rendered accounts to amount of 163,089

dollars 69 cents, but they cannot be adjusted as the pay-rolls have not been certified by the inspector of the marine corps." Here then, admitting the entire credit which the pay-master claims, a clear balance appears against him of upwards of *half a million of dollars!* The fourth auditor has not stated to congress what security the public has for this enormous debt; nor has he even condescended to say what prospects there are of a recovery of any part of it from the principal. The truth, however, is, that the money will not, *cannot* be recovered; because the debtor is not able to pay it; nor do I believe that any measures whatever have been resorted to, to enforce payment.

In referring to an estimate, made to congress, in order to obtain an appropriation for the expense of pay for the *whole* of the marine corps, for the year 1820, [and it is believed the estimate is nearly the same every year,] I find the total amount of that object to be 95,760 dollars; so that it would appear from the official report rendered to congress that the paymaster of this corps has been permitted to retain in his hands, [and which appears to be now an actual balance against him] the sum of 508,951 dollars 68 cents! This, mind ye, fellow citizens was an *advance of money* at the seat of the general government, directly in view of the president whose duty it is, by the constitution, "to take care that the laws are faithfully executed." I do not mean to say that the president is, or ought to be, responsible for the misconduct of the inferior executive officers of government; but this much I will say, that he is bound to dismiss from the public service every such officer as shall not do his duty. He is moreover bound to give *information* to congress "of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient." The president has given to congress no direct "information" whatever relative to public defaulters. All the information that congress have had communicated to them on that most important subject, is what the members may be enabled to glean from the vague and unsatisfactory documents rendered under the law of the 3d March, 1809. Mr. Monroe never has in a single instance, that I can recollect, in making his communications to congress, adverted to the shameful and scandalous misapplication of the public money during his and the next preceding administration, by which so many millions have been squandered and lost. But in the face of all this, and of the notorious fact of public and private embarrassment, we are told of our "extraordinary prosperity." It is not for me to say how long the people will permit themselves to be thus gulled and flattered.

The next item in the official abstract to which I shall refer, stands thus:

"Eckford and Brown, contractors, New York 480,000 dollars—*no accounts rendered.*" This is all the information the department has condescended to give to the representatives of the people on this subject. It is not even stated what Eckford and Brown contracted to do; all the information we have about it is, that they, some years ago, got four hundred and eighty thousand dollars of the people's money, and that, as yet, "no account is rendered" of its application! What will, what *can* our public functionaries say to this? What will the people of this country say to it?

I shall continue the extracts from the *fourth* auditor's report in my next communication.

A Native of Virginia.

NO. IV.

You will, I think, have perceived, from what I have already stated and proved, that the balances appearing on the public books against individuals are not merely "*unsettled and ex parte accounts*;" the declaration of the administration at Washington, their organ the "National Intelligencer," to that effect notwithstanding. How any respectable men can, in the face of the records in *their own possession*, endeavour to impose such a belief on the public, is truly astonishing. From this circumstance, alone, one would be disposed, if not compelled, to think, "there is something rotten in the state of Denmark."

A few more extracts will be made from the books of the *fourth* auditor.

In the report of balances made by him last winter, I find the following entry:

"Flannagan and Parsons, 91,000 dollars, contractors, Baltimore." Here appears to be a large balance, of upwards of three years standing, from two individuals residing within five hours ride of the capitol! And here again the fourth auditor does not vouchsafe to tell us a word more about the matter than what you see stated above. He merely says, that *Flannagan and Parsons* are "contractors," [but does not say for what] and that they owe the U States the sum of *ninety-one thousand dollars*. Nothing is said about further credits being claimed, nor that any measures have, or will be resorted to, to recover back the money due. This, however, is but a small piece with the other items stated in this officer's report—by a recurrence to which it will be seen, that, in about nine cases out of ten, even the residence of the delinquent is "unknown."

There appears, in the same report, to be a liquidated balance, standing more than three years from the 30th September last, against *Joshua Foreman*, of 48,274 dollars 21 cents, and the auditor states, that he neither knows his "rank" nor his "residence." In short he seems to know nothing about him. The people are simply given to understand, that this gentleman owes them nearly 50,000 dollars; but for what purpose this money was taken out of the public treasury we are left to "guess," not a word being said about the matter by the fourth auditor more than I have just stated. Are such things as these to be endured? Will you submit to them? If you do, you will deserve that destiny which a culpable negligence and apathy about such matters will, most certainly, sooner or later, bring about.

There appears from this list of balances [the 4th auditor's] to be about 350,000 dollars due to the United States from *Prize Agents* alone; and these balances due more than three years from the 30th September last. Certainly sufficient time has elapsed for these gentlemen to have made a final settlement of their accounts.

The next case to which I refer in this list is that of *Samuel Smith and Buchanan*, who are reported as delinquents for the sum of 8,182 dollars. All the information which the report affords, relative to this debt, is that the parties *reside at "Baltimore;"* not one word said about the purpose for which this money was given to these gentlemen

from the public treasury. All we know about it is, that they have got the money, and have had it in their possession more than three years from the 30th September last." We do know that this constitutes no part of the famous LEGHORN debt. That stands upon the books in the names of "Degan and Purviance," amounts, at this time, with interest, to between *one and two hundred thousand dollars*, and is a total loss to the United States; though the money ought, long since, to have been recovered from *Smith and Buchanan*, for reasons which *they know*, and which *I could tell*, if it would now answer any good purpose to do so.

A great part of the balances reported by the fourth auditor of the treasury is of a kind similar to the cases I have had particular reference to, in this and my last number. The total amount of balances on this list is about two millions of dollars; and it is a remarkable fact, that, although the balances have remained on the public books for "more than three years from the 30th September last," it does not appear, *out of about six hundred and fifty delinquents on the list, that any measures have been taken to recover back the money from any but two of them; one of whom owes less than 100 dollars!* No wonder then, that the people are compelled to borrow money when our rulers practice conduct like this. I do not mean to say, that every man whose name appears on this list is actually a public defaulter—I know to the contrary—but I do believe the far greater number of them are actual defaulters, and to an immense amount. And be it remembered, that if any one of them keeps a large sum of money in his hands, even for ten or twenty years, and then pays it into the treasury *without suit being ordered or judgment obtained*, he is charged with *no interest*. What an inducement therefore, is there for men to *speculate* on the public money in their hands; or even to buy stocks, or put it out at lawful interest; seeing that they may do all this, [and I have known it to be done] with perfect impunity.

In my next I shall take notice of a few of the defaulters on *another* set of the public books—namely: those denominated "books of receipts and expenditures!"—on which are entered monies advanced on account of the "civil list," "foreign intercourse," "miscellaneous," objects, &c. &c.

A Native of Virginia.

NO. V.

Having in my last communication, promised to give you in this, some account of the debts due by individuals to the public, and standing in the books of "Receipts and expenditures;" I now enter upon that duty.

The number of debtors on the list now under consideration [and recollect that these also are debts due "more than three years prior to

the 3d September 1820"] are about *three hundred and fifty*. This may be properly called the "Civil List" balance sheet, and comprehends monies advanced on account of "Foreign Intercourse," as well as a few advances made from the War and Navy departments, and transferred from them to the books of receipts and expenditures. The total amount which appears to be due from these delinquents, I have not yet ascertained:—but it appears, from the remarks annexed to each case by the comptroller of the treasury, that, in many cases, there will be a total loss to the United States, and in a great part of the others it is doubtful whether any thing will be recovered. It is true that, generally the balances appearing on this list are not so large as those stated on the books of the third and fourth auditors—no one delinquent on the books of "receipts and expenditures," appearing to owe more than between 90 and 100,000 dollars *exclusive* of interest. But the thing which ought to excite the most surprise, if not indignation, is, that *certain names* should appear on this list at all; seeing that some of them have had more than three times three years allowed them for paying the sums with which they respectively stand charged.

As this list is a public document, printed and published for the information of the people; though from some cause or other little known to them, it cannot, I think be justly deemed invidious in me to make a few extracts from it, by way of sample, and as affording you an opportunity of judging of men, who, while they would drain the treasury of its last dollar, without scruple or remorse, would, at the same time, cause it to be trumpeted through the nation, that they were the most *pure and disinterested* patriots in the world, and that nothing concerned them so much as the *welfare and liberty of the people*.

The first case to which I shall refer you in this list is that of "Joel Barlow, late minister of the United States to France." There has been, it would seem, a final settlement of the accounts in this case; and the balance due the United States is 5,701 dollars 54 cents. The comptroller of the treasury remarks, that "the representatives have been *requested* to pay this balance without delay." So the matter has ended, and so it will probably remain like hundreds of others, unless through fear of your arousing from your slumbers, and hurling the present incumbents from power, they may take the alarm and "institute suits," for the recovery back of the money. But you will naturally enquire, how can the public functionaries reconcile it to their consciences and to a proper discharge of their duties and their oaths, thus to permit the public money to remain [*without bearing any interest,*] in the hands of the most rich and opulent men, for six or seven years, and the government be obliged in the mean time to resort to capitalists for the loan of money to defray its ordinary expenses? I answer, the thing would be inconceivable for one who did not *know* of some of the corruptions and abominations which prevail at Washington.

It is well known that when Mr. Barlow was nominated by president Madison to the senate as minister to France, he stood charged on the public books with about 750,000 dollars, which he had received to be expended in our intercourse with the Barbary powers, and it ought never to be forgotten *how and in what manner*, that money was accounted for. *An account was exhibited without the requisite vouchers, and thus it was finally passed on the very day on which the nomination of Mr. B. was confirmed by the Senate.* This I have from undoubted au-

thority. If any one doubts of the fact, he is referred to the journal of the senate and the archives of the treasury for proof of it.

Again:—The comptroller of the treasury reports on this list as follows:—"Patrick Magruder, late clerk of the house of representatives—balance - - - \$18,167 09

Ditto as Librarian to congress, - - - 803 74

In all \$18,971 83

to which is annexed this remark—"suit ordered; but district attorney has not furnished the information required of him respecting the present state of the case." And this is all the people or congress are told about this debt. This money, except the last item, was advanced to P. Magruder from the treasury to defray the contingent expenses of the house of representatives; that is, this is the balance remaining in the hands of the late clerk, after giving him credit for all his disbursements. It is said the delinquent is dead, and that the whole of this money will be lost to the United States: though there need not to have been such a loss to them if the officers had done their duty; because the U. States have by law, a priority of claim over individual creditors; and the delinquent had, at the time the deficiency happened, considerable property in possession.

Will the National Intelligencer still tell us that these are not balances *actually* due, but merely "exparte and unsettled accounts?"

In my next I will give you a few more examples of these "exparte accounts," as they are called; and then leave you to judge who is right, the editors of the Intelligencer, or

A Native of Virginia.

NO. VI.

If any of you should have an opportunity afforded you of casting an eye over the list of "public defaulters," you will find, near the head of it, the name of "John Adams, late president of the United States, &c." with a balance stated against him of 12,898 dollars, and the following remark, made by the comptroller of the treasury last winter, to congress, to wit: "Advanced on account of the president's household. A certificate was forwarded to the treasury that the whole of the money had been expended; which, however, was not deemed a sufficient voucher by my predecessors. It is respectfully submitted to congress, whether, under the circumstances of the case, it may not be proper to remove the difficulty in the settlement by a special act of congress." A good deal having been said about this case, I have deemed it proper to give you a correct view of it—not because I believe there is much money due from Mr. Adams to the public, but because I believe there is involv-

ed in this transaction a principle of vital importance—namely, whether every citizen in this country is not alike amenable to its laws?

About the time that president Adams came into office, congress appropriated *fourteen thousand dollars*, to purchase furniture, &c. for the president's house. Whatever furniture was purchased with this money, was public property. Mr. Adams drew the money from the treasury himself, and was accordingly charged with it on the public books. A short time before his term of office expired, he sent, as the comptroller has stated, "a certificate," signed by himself, "that the whole of the money (the 14,000 dollars) had been expended." This certificate was in the hand-writing of Oliver Wolcott, then secretary of the treasury. The then comptroller of the treasury, John Steele, of North Carolina, (who received his appointment from Gen. Washington) would not admit this "certificate" of Mr. Adams, as evidence of the expenditure of the money, but required a regular account supported by the vouchers, as in ordinary cases. These Mr. Adams declined giving—and so the matter rested until just before he left Washington, in March 1801, when he *paid back* to the treasury the sum of 1,102 dollars—which being deducted from the 14,000 dollars appropriated by congress as before mentioned, leaves the sum of 12,898 dollars still standing to the debit of Mr. Adams on the treasury books. This is the whole history of the case. If the proper officers had done their duty, Mr. Adams would have been *compelled* to settle his account. That he kept an account of his expenditures, is evident from the fact of his having made a *repayment* to the treasury of 1,102 dollars as above stated, alledging that sum to have remained unexpended of the 14,000 dollars appropriated,—although he had previously certified that the *whole* of the 14,000 dollars had been expended. To show that general Steele was correct in not admitting Mr. Adams' "certificate" as sufficient evidence that the money had been expended on the object for which it had been appropriated, it is only necessary to remark, that no charges for the disbursement of public monies can be legally admitted, unless they be supported by good and sufficient vouchers—with the exception only of money drawn on appropriations "for defraying contingent expenses of intercourse between the United States and foreign nations," [commonly called "secret service money"] in which case, and in which only, "a certificate [from the president] of the amount of such expenditures as he may think it advisable not to specify, shall be deemed a sufficient voucher for the sum or sums therein expressed to have been expended." See act of congress, 10th May 1800. With the light now before them, the public will be enabled to judge of the "difficulty" there has existed in the settlement of Mr. Adams' account, and whether it be such as to require "a special act of congress" to remove it. Why the account has been permitted so long to remain open on the public books. [a circumstance alike discreditable to the public functionaries and to Mr. Adams,] I will not pretend to say. I have simply brought the facts to your notice, and you can judge for yourselves.

Having stated thus much in respect to an apparent debt due from one ex-president,—I cannot in justice or in fairness omit stating a transaction of a pecuniary nature, which took place between his illustrious successor in office [and truly illustrious he *might* have descended to posterity] and you, the people of the United States. So far from its affording me any personal gratification in exposing this matter to public

view, I solemnly aver, that I most sincerely regret, that the transaction to which I allude should have ever taken place. As a native American citizen,—seeking no place either of distinction or profit—and prompted by no other motive than to promote virtue and to prevent vice—it would have been a heart-felt satisfaction to me to have been enabled with truth to record,—that not so much as a blot or a stain remained upon the character or fame of either of the distinguished men whom the people of this country, by their free suffrages, have exalted to the highest station within their gift. As to some of the foibles, and trivial aberrations from duty, on the part of our political rulers, which are incident to human nature, it would be unworthy the dignity of the present subject, to descend to notice. But when a palpable and manifest act of moral turpitude shall have been committed, as regards the public interest, and about which no two honest impartial men can possibly differ;—I hold it to be my duty [as I have undertaken to address the public] thus publicly to present it to your view. And ought any honest man to object to this? The great bane of all republics [if not the greatest] is a blind and heedless confidence placed by the people in *men*—instead of clinging with inflexible constancy to those *principles* which, can, alone, guard them from the open usurpations of military despots, or the more sly, but not less dangerous, machinations of political intriguing hypocrites.

With these prefatory remarks I proceed to lay before you the following statement of facts :

In the year 1789 when Mr. Jefferson resided in France as minister from the U. States, he was in the practice of drawing bills, on public account, on our bankers at Amsterdam. These bills he had negotiated in Paris, and received the money for them there. He then charged himself, or credited the U. States, with the sums thus received. The bankers, of course charged the United States with the amount of each bill paid by them. In the account which Mr. Jefferson rendered to, and settled at the treasury, he credited the U. States, *in his own hand writing*, under date of 21st October 1789, as follows: “cash received [by him] of *Grand* for bill on Willink and Van Staphorst, 2870 guilders—1148 dollars;” and accordingly this sum was brought to his *debit* by the accounting officers of the treasury during the administration of general Washington.

But it appears, that the bill above mentioned, and for which Mr. Jefferson acknowledged to have received the “cash,” did not get to the hands of our bankers at Amsterdam; or, if it did, they did not charge it in their accounts with the U. States. The probability is, that as the French revolution was then about breaking out, this bill was lost by the individual who purchased it amid the general confusion which then prevailed in France. Be this, however, as it may—this bill of exchange has not yet come to light; at least it had not when Mr. Jefferson’s second term of office, as president, expired in the year 1809: for notwithstanding he had, by his own acknowledgment, received the money for it from *Grand*, in Paris, on the 21st October 1789, he nevertheless in March 1809, nearly twenty years afterwards, demanded and again received the money for this same bill at the public treasury of the United States! as will appear from the following copy of his account on file. “The United States to Thomas Jefferson Dr. For this sum, being the amount of 2870 guilders brought to his debit in the state-

ment of his account at the treasury, per report No. 15,871, beyond the amount which appears to have been *actually paid to him* by the bankers of the department of state at Amsterdam, 40 cents per guilder, dollars 1148." The expressions in the above account, *beyond the amount actually paid to him by the bankers*" &c. are evidently incorrect, and calculated to deceive—because the bankers did not pay to him, but on his order or drafts. The plain truth of the matter, however, is this—that Mr. Jefferson has *twice* received the money on this same bill—first at Paris, where he negotiated it, in 1789, and afterwards at Washington in 1809. And I do contend, that, upon no correct principle of law or morality had he a shadow of right to take the money a second time. He had no more right to go to the public treasury to demand this money than any other individual in the community. It was the common property of all: and just as well, upon the same principle and with equal justice, might the president of a banking institution, on its being wound up, demand payment out of its coffers, for the amount of all the notes which were *lost or destroyed* in the course of its banking operations. Neither Mr. Jefferson, nor any body else, had a right to profit by the loss of the bill in question, which the government will be bound in justice and good faith to pay, should it ever be presented for payment. And here it may be proper to remark, that no security, by way of indemnity to the U. States, in the event of a contingency of that kind, was taken from Mr. Jefferson. His accounts as minister in France had been settled and closed for nearly twenty years. They were opened for the unworthy—I will not say dishonest—purpose of taking money from the public treasury which he had not the shadow of right to claim or demand. If any one should ask how the accounting officers of the treasury were induced to allow to Mr. Jefferson this claim?—it may be answered, that, even in our republic, there are not wanting men who will wrong the public and their own consciences, *for the purpose of obtaining favor with certain great men.*

I have now, fellow citizens, given you a faithful and candid statement of a case which derives its greatest importance from the principle involved in it. For if it be once admitted in this country, that the high public functionaries may, with impunity, transgress the law, and the general rules provided for the government of all—and particularly in matters of a pecuniary nature—then, indeed, may it be truly said, that our laws and our constitutions are not worth preserving; and the sooner we get rid of them the better.

Painful indeed to me has been the task of thus publicly bringing before the bar of the public one who *once* had [though not for many years past] my entire confidence, and for whom I entertained more than ordinary respect. But my motto is, in the course of these investigations into the conduct of public men—"I will nothing extenuate nor aught set down in malice."

One other case, taken from the list of "public defaulters," will close this communication. It is that of "Return Jonathan Meigs, relative to making roads, &c." The sum with which he stands charged in the treasury books, is 5,500 dollars. The comptroller of the treasury annexes to this case the following most curious remarks, namely: "He was requested to render his accounts and vouchers relative to the disbursement of this money. He produced vouchers in 1819, which were deposited in the auditor's office, but not being accompanied by

a general account current, he was requested to render one to that officer. *It is understood* that the vouchers *were withdrawn* from the auditor's office, for that purpose, *and have not since been returned.*" These remarks will, of themselves, I should suppose, give you a tolerable correct idea how the public business is managed at Washington. This Mr. Meigs, you must know, is the present *postmaster general of the U. States.* He has had this public money in his hands some 8 or 10 years. But public delinquents pay the government *no interest*, except on *judgments* against them—and very few of those are obtained.

Although Mr. Meigs may have expended a part of this money, the presumption is, that he has not expended the whole of it,—else, why not, at once, settle the account? So long as he can retain the balance with impunity, and *without paying interest*, he finds it to be *his interest* to do so. Will not a case, even of this kind, open your eyes? Here is a public officer of high trust, retaining the public money in his hands or vesting it in stock, to bring something in, and, at the same time, *regularly receiving his quarter's salary at the treasury of the U. States!* And all this, too, directly under the nose of him whose constitutional duty it is "to take care that the laws are faithfully executed."

A Native of Virginia.

NO VII.

It is, perhaps, less important for you to know the amount of the public money which individuals have got in their possession, and are permitted to retain in their hands, than it is to be informed of the *manner* by which they became possessed of it, and the circumstances under which they hold it. To afford you some information on these points, from which you will be enabled to judge of the fitness of the men, now in power, to manage your affairs, is a primary object of these communications. It is not to be expected, that every case of culpability, of this kind, can be now noticed. To do this, would occupy a space far beyond that prescribed for these remarks. A few leading instances, therefore, of malversation in office, will be brought to your view; and from these, a tolerable correct opinion may be formed of the general course of official transactions at the seat of the general government.

On the books of "receipts and expenditures" there appears to be a balance standing against "Charles Pinckney,* late minister U. S. to Spain," of 12,508 dollars 15 cents—to which case the comptroller of the treasury annexes the following remarks: "*Informal; accounts rendered to the fifth auditor, which have not been definitively decided on.*" And wherefore? Because it is *known* they cannot or ought not to be admitted. It is now upwards of twenty years since this gentleman was appointed minister to Spain, and about ten years since his return to this country. The first accounts he had settled at the treasury,

left him indebted to the U. States in the sum of 70,000 dollars. This balance, it seems, is now reduced to 12,508 dollars, as above stated. How this has been done, I am unable to say; *nor will it be known*, until congress shall call upon the head of the proper department to furnish a copy of the accounts.

The act of congress of the 10th May, 1800, (vol. v. p. 187) which fixes the compensation to be allowed to our ministers, &c. at foreign courts, has, I feel well assured, received a construction differing widely from its letter and spirit. The 1st section of that act declares that, "exclusive of an outfit, which shall, in no case exceed the amount of one year's full salary to any minister plenipotentiary or charge des affaires, to whom the same may be allowed,—the president of the United States shall not allow to any minister plenipotentiary a greater sum than at the rate of nine thousand dollars per annum, as a compensation for all his personal services and expenses." It is not my intention at present, to specify cases wherein greater allowances have been made than this law has authorized; but merely to bring the subject to public notice, in order that congress may, if they see fit, institute an enquiry into the matter. Confident I am, however, that allowances, to a very considerable amount, have been made to our foreign ministers, which this law does not justify, and which, therefore, were irregular and illegal.*

In the case of Mr. Pinckney,† now under consideration, no steps appear to have been taken, to recover back the public money in his hands. The remark of the comptroller, that there are "informal accounts in the office of the 5th auditor, not definitely decided on," is weak and puerile, and evidently intended to screen this defaulter from public odium—if any thing could screen *such a man* from public contempt and indignation.

I leave this case, and pass on to another, which, although, comparatively speaking, is small in amount, exceeds in enormity any that has yet been mentioned. I allude to the case, as stated on the comptroller's list, of "*John Payne*, late *charge des affaires* at *Tripoli*." To enable the people to judge of the *manner* in which their money has been disbursed by the public agents, it is necessary to give a short history of the circumstances, under which the sum of 5,500 dollars of their money, [that being the amount standing to the debit of Mr. Payne] has been taken out of the public treasury.

John Payne was a wild, dissipated youth, brother to Mrs. Madison, wife of the late president. About ten years ago a Mr. Davis [I think that was the name,] was duly appointed consul of the U. States to reside at Tripoli. To this office, there is annexed by law, a salary of two thousand dollars a year, and nothing more. Young Payne went out to the coast of Barbary with Mr. Davis, either as a companion, or a clerk, or both: but certainly not in the employ of the U. States. Mr. Davis remained some time at Tripoli, and then returned to the U. S.

*Perhaps it will be said, for example, that the cost of a *court dress* for the wife of one of our ministers abroad, is no part of *his* "personal expenses"—and, therefore, may be legally charged by him to the U. States.

†This gentleman helped to write Mr. Jefferson into office: and as a reward for his faithful services, got the appointment of minister plenipotentiary to the court of Spain.

Mr. Payne remained, for a short time, at Tripoli, but in what capacity I could never learn, although I now perceive he is styled "*charge des affaires*." But I am well assured he received no such appointment from his brother-in-law, Mr. Madison; and, if the journals of the senate shall be referred to, no *nomination* of Mr. Payne, for such an office, or indeed, for any office, will, I apprehend, be there found. And yet Mr. Monroe, who was then secretary of state, has drawn on the secretary of the treasury in favor of this same Mr. Payne, for no less a sum than 5,500 dollars, with which he, Mr. Payne, stands charged (and will, probably, forever so stand) on the treasury books. A part of this money was even advanced to him some time *after* his return to the U. States; and he has not to this day, or at the time the comptroller made his last report to congress, exhibited a *single voucher*, to show that any part of this money had been disbursed on public account. Comment on a transaction like this, is unnecessary. It can be no argument to you, to say, that the sum, thus *advanced*, was not a *large one*. He, who could feel no scruple in directing 5,000 dollars to be wrongfully paid out of the public treasury, would feel none in directing 5,000,000 dollars to be paid in the same manner; provided, in each case, equal impunity could be felt by him. I will not give you an account of the *manner* in which this public money was spent about the seat of the general government. It would be too disgusting for me to relate, or for you to hear. It is sufficient for my purpose, to state to you the *facts* in the case, and to bring to your notice the *public functionary* who directed this money to be paid. But, as I shall have to pay my respects *directly* to this high officer, in the course of these essays, I shall say nothing further, at present, on this part of the subject.

A Native of Virginia.

No. VIII.

It was not my intention, fellow citizens, when I concluded to address you on the subject of public defaulters, and some other matters in which you are deeply interested, to stop in my course, for the purpose of replying to every person who might think himself aggrieved by an exhibition of the *facts* contained in my several communications. But seeing, from some of the public prints, that the letter of Mr. John Crabb, published in this paper of the 11th inst. is received as evidence, not only of his owing nothing to the public; but also of the correct conduct of the officers of the general government, as regards the large sum of money which he drew from the public treasury of the U. States, —I have deemed it proper to give you this further exposition of that affair.

Mr. Crabb acknowledges, as well he may, that he obtained from the treasury of the U. S. the sum of 672,000 dollars, and upwards, and

he alledges, that he *can* account for the disbursement of the whole of this sum, provided the proper accounting officers will allow him *all* the credits he claims! But he distinctly intimates, in his letter, (and so it may fairly be presumed, he has informed the public functionaries) that, unless they will, *before-hand*, agree to place to his credit, *every-thing* which he claims, he will render them no account, voucher, or satisfaction whatsoever, for the expenditure of this large sum! In my former communication on this case, I stated no fact which I did not obtain from the official report under the hand of the fourth auditor of the treasury: and I put down, word for word, figure for figure, which that officer has caused to be made and written in the column of "remarks" annexed to this debt. If therefore, any injustice has been done to Mr. Crabb in this respect, it is no fault of mine. The fourth auditor has said one thing, and Mr. Crabb has said another. You have his *say so*, opposed to the office books and the official report. You can believe which you please. But why did not Mr. Crabb protest against this official report when it was submitted to congress, last winter? Let him answer the question. But it is not with Mr. *Crabb* that I mean to contend, or that the people are to look to in this affair. Enough has been disclosed to show, that there has been a most shameful abuse of the public trust in respect to this matter, to say the least of it. I challenge the annals of any country to show a parallel to it. Mr. Crabb states, that he was paymaster to the marine corps, from 1811 to 1817; that during that period he received nearly 700,000 dollars of public money,—*and he has never, as far as can be ascertained, settled a single account!*—He has "*rendered accounts*, [says the 4th auditor,] to the amount of 163,089 dollars 69 cents; *but they cannot be adjusted*, as the pay rolls have not been certified by the inspector of the marine corps." Let us here pause a moment; and candidly and dispassionately inquire how this matter stands. The laws, and the regulations of the public departments, require that accounts between the U. States and public officers who receive public money, should be settled periodically—generally quarter yearly—except foreign ministers and others residing out of the country. The paymaster of the marine corps was in office from 1811 to 1817. Advances of public money, during that period, were made to him from time to time, amounting together to the sum before stated. It seems he resides at the seat of the general government. No quarterly settlement of his account was made. At length, when asked for a settlement, and to render his accounts and vouchers for that purpose,—what does he say? Why, "if you will do me the justice to which I think myself entitled,"—i. e. if you will agree, *before-hand*, to admit all that I ask, I will, in that case, condescend to render you an account of what I have done with the money committed to my care, and not otherwise. And what then? Is he sued? Are any steps taken to enforce payment of the debt, or to obtain a settlement of the account? I answer none—although it is now *four years* since the delinquent went out of office!

If any thing like this should be told us as having happened in any of the corrupt governments of the old world, and we should be asked our opinion about it, we should, unhesitatingly, answer,—*there had been collusion between the parties.*

Native of Virginia.

NO. IX.

It is both lamentable and disgusting to see the arts and contrivances to which some men will resort to keep themselves in power, and gull the people. A man, for example, *professing* political opinions adverse to those of the dominant party, is kept in the public service as a kind of *witness* or *toucher* to prove the correct conduct of administration; so that when ever objection is made to any of its acts, another sycophant immediately exclaims, "Why how unreasonable you are—here is a Mister *such a one*, a decided federalist, who is clearly of the opinion that you are wrong, and that the thing you complain of was entirely right"—and then he will add, with a sneer, "*sure you would not differ with one of your own party.*" Such ridiculous stuff as this I have often been obliged to listen to from minions, who call themselves republicans or federalists, as may best suit their purpose, and the purposes of those by whom they are employed.

I was led to the foregoing remarks from casting my eye over the list of public delinquents and discovering on it some names which brought to my recollection some facts which ought to be made public—to the end that you may (those of you who are disposed to *think*) form some idea how your taxes are disposed of by those intrusted with their distribution.

On the list of public delinquents, as taken from the books of receipts and expenditures, you will perceive is entered the name of "Richard Forrest," with a liquidated balance standing against it of 1846 dollars 12 cents, said to be "in relation to Mediterranean powers." The comptroller remarks: "he has been requested to pay this balance, which, if not promptly done, suit will be ordered." We are not told how long this balance has remained due; but that it arises "in relation to Mediterranean powers." The facts in the case, however, are these: Some nine or ten years ago, when we paid tribute to the Regency of Algiers, Mr. R. Forrest (known to all his acquaintances *as an excellent good federalist*) was designated by Mr. Monroe, secretary of state, in whose office Mr. F. was a clerk, to purchase naval stores to be sent out to the Dey of Algiers. Money was accordingly advanced, for this purpose, on the orders of the secretary of state, in favor of Mr. Forrest, who was allowed a commission on the disbursement. I am not going to enquire whether Mr. Monroe could not have made a more judicious appointment, for this object, at some one of our principal seaport towns; but will simply state, that he has drawn in favor of Mr. Forrest for nearly 2000 dollars *more* than the amount of the tribute then due; and that Mr. F. has kept this excess in hands ever since *free from the charge of interest*. Nor will I even hint at the motives of Mr. Monroe in selecting one of his own clerks to perform a service (his salary as clerk going on at the same time) which hitherto had been confided to some person of experience in such matters, residing at one of our maritime ports. You are now possessed of the principle facts in this case, and can judge for yourselves.

On the books of the fourth auditor, a liquidated balance appears against "Tobias Lear," of 3,200 dollars 10 cents. This gentlemen was

late second auditor of the treasury, and formerly consul general of the United States at Algiers. The balance accrued in the latter capacity. I would just ask Mr. Monroe (for there is no man's station in this yet so high but that he may be asked a civil question) upon what principle he directed an advance of public money to be made to Mr. Lear to the amount of 5,142 dollars 85 cents—when at the same time, he, Mr. Lear, was a *debtor on the public books*? But more of this hereafter.

On the books of the fourth auditor, there appears to be a charge of 2,500 dollars, "advanced to John P. Van Ness," on account of "a contract for timber." I think it has been about ten years since this money has been "advanced."—Will the fourth auditor say, that there has been a stick of the timber furnished? Let him tell us. General Van Ness, President of the Bank of the Metropolis, we are informed, *has got the money*; and that is all the "Swinish multitude" are told about the matter. I will, however, tell them—*that the general pays no interest on this advance.*

The greatest imaginable abuses and impositions take place upon the people's rights and interests by the practice which prevails in our government, of making what are called "advances" of public money to individuals who make, or pretend to make, contracts for various purposes. When a man gets somewhat *straightened* in his pecuniary affairs or when he has some great *speculation* in view, it directly occurs to him, that if he can only get a contract with government, no matter for what, his objects can be speedily accomplished; because, in that case, particularly if he be a favorite, or of much political *influence*, he will get a considerable *advance*, which he puts in his pocket; is "charged and held accountable" for it on the public books, and so the matter rests for years and years. Meanwhile, the individual is enjoying the use of this money, *without interest* or premium, while the government is obliged to borrow money on interest to pay rightful claims. And this is what the "National Intelligencer" would tell us was an "exparte account," on which there was "nothing due!"

A Native of Virginia.

NO. X.

Facts, like those which I am about to record, would, some years ago, if made known, have excited the indignation of every honest man in this nation. But so deep have we, of late, sunk into lethargic habits, as regards the affairs of the general government, that I begin to be apprehensive, that no conduct, however unjust or iniquitous, on the part of our executive rulers, will awaken you from your fatal slumber. That there has, in the case to which I particularly allude, been a most shameful dereliction of duty, and an absolute violation of public trust, on the

part of administration, will---nay *must* be admitted by every honest man in the community, no matter to what party he may belong.

In the list of public defaulters, as reported by the third auditor of the treasury, appears the name of "Daniel D. Tompkins, late governor of New York," and now vice-president of the U. States, with a liquidated balance annexed to it of 11,022 dollars 57 cents, to which is subjoined this remark by the third auditor, "*Balance of his account, settled 14th June, 1820.*" Would it not have been more ingenious in the 3d auditor to have stated the *whole* of the facts in this case? Will he say that the vice president is not delinquent on *other accounts* beside that "*settled on the 14th June 1820?*" But we will, for the present, pass over that matter, and admit, for arguments sake, that the 11,000 dollars [which, however, is *not* the fact] is the only debt which that officer owes to the public.—What will you say, when I tell you that, in the face of this balance against him, *he is permitted to draw, and does actually draw from the public treasury, his salary quarter yearly, at the rate of 5000 dollars per annum?* If this be not downright *treachery* to your interests, I am at a loss to imagine what would be. The vice president has enjoyed the use of this money, [*and a great deal more belonging to you*] for many years, and without interest. Instead of compelling him to return it from whence he got it, it does not appear that he has even been "requested" to do so; but, contrary to every principle of justice and right, *receives* from the treasury, every three months, upwards of 1200 dollars! Thus, fellow citizens, you have before you the singular and perfidious spectacle of a public delinquent, holding a station next in rank to the president, quietly and peaceably enjoying the use of large sums of your money, and paying no interest on the same—while, at the same time, he is drawing money from your treasury, placed there from *loans* on which you are paying interest! Let those in power deny this statement if they can—if they *dare*. What would you say; or, rather, what would you do, if a transaction like this were to take place under one of your state governments? What would any one of you say, or do, if one of your private agents should in this manner violate and abuse the trust you had reposed in him? Do we live in a country of equal laws and equal rights? Do you subscribe to the doctrine, that it is consistent with the principles of our government, "to render equal and exact justice to *all* men?" If you do, you must pronounce the conduct of the administration in the transaction to which I have alluded, *an art of treachery*. This is a strong term, I admit; but not more so, in my judgment, than the nature of the case requires. We ought constantly to bear in mind, that our rulers are only the trustees, not the owners of the estate; that the *fee simple* is in us. Upon what principle of justice or honesty they can justify themselves in this affair, I confess I am totally at a loss to conceive or imagine. The truth is, their conduct cannot be defended—it is *not defensible*. Their hireling and unprincipled scribblers may write, and attempt to explain; demagogues and knaves may prate and rave, and endeavor to put the thing down by telling you that it comes from a "disaffected quarter"—but all this will avail them nothing, so long as truth and justice shall be permitted to triumph over falsehood and villainy.

A Native of Virginia.

NO. XI.

As yet, I have adverted to a few cases only of palpable delinquencies, on three sets of the public books; namely, the books of the third and fourth auditors, and those denominated "books of receipts and expenditures," which contain the account of receipts and disbursements relative to the civil list, &c. All the monies charged on these three sets of books, were drawn directly from the treasury of the United States. There are yet other public books on which individuals are charged for public money received by them *before* it comes into the public treasury; namely, the "books of the customs," on which collectors of the customs are charged with balances due on their accounts, respectively, the "books of internal revenue and direct tax," on which the collectors of internal revenue and direct tax are charged; and the books of the general post office, on which delinquent postmasters and others are charged with public money in their hands arising from that source of revenue. Besides, these, there are other public delinquents to an immense amount, (not to mention the debtors for public lands) who are not specifically charged on any of the public books at the seat of government; such, for example, as debtors on the custom house books [the *actual delinquencies* of which class of debtors amount, I think, according to a late report of the secretary of the treasury, to two millions of dollars]—forfeitures and penalties incurred and remaining due to a very great amount; to which may be added foreign bills of exchange purchased by the agents of the United States, and protested for non-payment.

The total amount of balances on the three sets of books first above-mentioned, to wit: those of the third and fourth auditor, and of "receipts and expenditures," appears to be upwards of eighteen millions of dollars—to which may fairly be added, for debts in the other cases above specified, [always excluding the debt due for public lands sold], the sum of seven millions of dollars—making a grand total of twenty-five millions of dollars. From this we will deduct the sum of five millions; the amount which will probably be admitted to the credit of individuals now charged. Then there will be left [exclusive of the debt due on account of public lands sold] no less a sum than *twenty millions of dollars* ACTUALLY due from individuals to the United States. This, I verily believe, will fall considerably short of the true amount *now due*—for it should be kept constantly in mind, that these *reported balances* were due for more than three years prior to the 30th of Sept. 1820—consequently, the greater part of these balances accrued prior to the commencement of President Monroe's administration. We shall see, by and by, how the public money has been applied, or rather *misapplied* under his official management. One thing I will venture, before hand to assert, and when the official documents shall have been made public, I will prove it,—that *at no period since the establishment of this government, and in a time of peace, has there been any thing like such profusion, extravagance, waste and misapplication of the public treasure, as have taken place since his induction into the office of president.* The records of the treasury for the last four years & upwards, will, when

recurred to, exhibit a profligacy of expenditure, a tissue of impositions on the public, and a list of private delinquencies, unparalleled, certainly, in the history of this, and probably in that of any other country. I say this without fear of contradiction. I say further—I do not believe there is a people on earth who get so little for their money, in services and supplies, as the good people of the United States. The fault must rest somewhere, and it is easily seen where it does rest. It rests, in the first place, with ourselves, in not attending, with more vigilance, to the national concerns; by not providing wholesome and efficient checks, to prevent collusions and fraud; by abandoning fundamental *principles*, and adhering to *men* without principle and without capacity.

There appears to be an actual delinquency, as exhibited in the comptroller's report to congress, *on the civil list alone*, of about one million two hundred and fifty thousand dollars!—a sum which, during General Washington's administration, or during the first four years of Mr. Jefferson's would have been sufficient to discharge the *whole* of the expenses of the government (exclusive of the army and navy) for two years! These, fellow citizens, are not mere assertions for party views or purposes; they are solemn truths—*facts upon record*. And be it always remembered, that these public defaulters, (with a very few exceptions here and there, when a judgment has been obtained) pay us *no interest* on these immense sums of money in their hands. The interest alone, on the whole sum, which I estimate to be actually due from individuals to the United States (twenty millions, exclusive of the land debt) would, if exacted and paid, be sufficient, even in these times of extravagance, to defray for a whole year the expenses of the "civil list" of the general government. A few of the delinquents are sued, perhaps, for form, or for *shame's sake*; and the suits are suffered to *freeze* on the docket; or, if the party pays the money to the marshal, or, more probably, to the United States' attorney, the latter will (I will not say in quite all cases) take care to retain it,—so that it gets not into the public treasury, even after the original defaulter is compelled to deliver it up. Witness the case of Edward Livingston, formerly district attorney for New York, who has been suffered to hold upwards of fifty thousand dollars of public money in his hands for about twenty years! In a word, such has been, and such continues to be the laxity of our government, and the apathy of the people, that, unless a radical change in this respect shall speedily take place, it requires no ghost to tell us, that we shall ere long, be overwhelmed with disgrace and ruin. In a few days I intend to acquaint you with some *other facts*, which, if suffered to pass unheeded, will, doubtless, lead to such a catastrophe.

A Native of Virginia.

NO. XII.

We will leave, for awhile, the lists of public defaulters, for the purpose of noticing some other matters in which the public interests and the public morals are alike concerned. I allude to the extravagant and *illegal* allowances of public money, made by the higher officers of the general government, to some of their personal or political favorites. To enter into a minute detail of the cases of this description, would occupy a space far exceeding that to which these essays are limited. It would require, too, a particular reference to books and documents, to which the writer, *at this time*, has not access. A few instances only, of this kind, will be given, in order that, from them, you may form an opinion, and judge of some of the causes which have led to the present low state of the national finances. At the same time it ought to be kept constantly in mind, that he who would illegally or unjustly, squander or misapply a few thousand dollars of the public money,—would feel no scruples of conscience in the misapplication of a few hundred thousand. In the latter case, from the magnitude of the sum, the fear of detection might operate on his mind; and, therefore, greater care would be taken to conceal his guilt. The moral feeling, or principle, in either case, would be the same. With most men of loose and dishonest principles, their first aberrations from duty are, generally, trivial. When these are suffered to pass over, without notice and with impunity, (I speak now of the public agents, or servants of the people) they seldom or never fail to increase in their enormities until, at length, almost every public act of their lives (especially in money matters,) is connected with treachery and fraud.

The case on which I now address you, be assured, is one of great interest & national concernment; because in it is involved the character and the conduct of the highest public functionary of the country,—the now President of the United States. To this gentleman I have neither personal nor political hostility, (strictly speaking, I do not feel *personal* hostility towards any man) and could he, in the course of my remarks on the public transactions, have been fairly excluded, I should have felt sincere gratification—because he, in an especial manner, ought to be the most zealous and watchful for your interests. He is bound by his honor and his oath, not only “to take care that the laws are *faithfully* executed,” but he is also bound to use his utmost diligence and power, to prevent and detect impositions and abuses upon your treasury. If, instead of doing this, he shall silently and inactively look on and see the public treasure wasted, without attempting to punish or bring to account the perpetrators of the act; if he shall not only sanction by his silence those iniquitous proceedings, but be, *himself*, a direct participator in them;—and if all these things can be *proved* to have taken place,—surely every honest and reflecting man in the nation must exclaim, that his confidence in the chief magistrate has been *misplaced*—that it is high time for the people to betake themselves to *thinking*, at least, about the manner in which the national concerns have been, and are now conducted.

In the year 1814, Jacob Barker, of New York, and of the noted *ten-million-loan memory*, chartered to our government his schooner 'Chance,' to carry despatches to the American Commissioners, then at Gottenburg. For this service he was to receive the sum of 4,000 dollars; and, after his arrival there, his agent was to be at liberty to use her as might best suit his purpose—"always conforming to the terms of the passport until he thinks proper to surrender it." It was further agreed on the part of Barker, that in case the American Commissioners at Gottenburg should wish to hire the vessel to return with despatches, his agent at that place would be "disposed to make a bargain with them to do so." And further, it was agreed, that in case the vessel should "at any time be dispatched by Barker's agent for the United States, *without his having made such contract*, the captain is to take charge of any despatches the American Commissioners may wish to send, and bring them to the United States, *FREE OF EXPENSE*." This contract was made in March 1814—Barker's vessel returned to the United States the year following. it is believed,—for in March 1815, he presented to the treasury *another account* of 3,000 dollars, for bringing despatches from our commissioners, although it was not pretended that they had made any "contract with his agent for that purpose, and although he had expressly agreed that, in case no such contract was made, the despatches were to be brought to the United States, "free of expense." And yet, in the very teeth of this positive, plain stipulation, Mr. Monroe, secretary of state, sanctions the extra claim of 3,000 dollars, and directs it to be paid out of the public treasury! Nay, more—but a few weeks before this, a Mr. Connell, who came passenger in Barker's vessel, and who was charged with the care of the despatches from our Commissioners, was paid at the treasury, *by direction of Mr. Monroe*, the sum of 400 dollars to reimburse him so much money which he had paid for his passage in the vessel! Comment upon a transaction like this cannot be necessary. If Barker's agent made any contract whatsoever with our Commissioners at Gottenburg, let the fact be stated—*let the instrument be produced*. When the illegal and iniquitous claim was admitted, it was not even *alleged* that any such "contract" had been made. The public money was thus most unrighteously and iniquitously bestowed upon an adventurous speculator and political demagogue, who, *at the very time it was paid to him*, was a *public defaulter*, to the amount, it is believed, of between 1 and 200,000 dollars; which had been *advanced* to him for certain foreign bills of exchange which he sold to the government—which were not accepted, and came back, of course, *protested*. And it was with the very money thus advanced for these bills, that Barker was assisted to make payment of one of the instalments on this celebrated ten million loan!

It is proper to add,—that Barker yet remains a public defaulter for the amount of money advanced him on these protested bills; and although a suit is now pending for the recovery of the money, it is believed by many well informed persons, that owing to some miserable management of the public agents, the United States will be defeated in the suit.

A Native of Virginia.

NO. XIII.

That a frequent recurrence to fundamental principles in all free states, is one of the greatest safeguards to the liberty of the people, no one will, I presume, as yet, have the hardihood publicly to deny. Whenever a nation becomes so inactive and corrupt as to lose sight of, and totally neglect such an important and salutary measure, its political condition will then have become truly awful indeed. It is in times like these that cunning, ambitious men lay the foundation for carrying into effect their latent and wicked schemes of oppression. Their disregard of the constitution and laws of the country are suffered to pass unnoticed and unchecked; one usurpation of power succeeds to another—until, at length, the decree of the chief becomes the supreme law of the land. If this be not true, all history is false. Hence, then, I solemnly admonish you, as you regard your liberty and happiness, and the liberty and happiness of your posterity, to be on the alert—be vigilant and watchful. This “era of good feeling” may be one of the most unpropitious periods of your political existence. If the fact which I am now about to record shall make no impression on the public mind, I for one, am free to declare, that I have little or no hope of the republic.

The constitution of the U. States has, distinctly, marked out the powers of this federal government. To the president it has given the command of the army and navy, and of the militia too when in the actual service of the U. States. In other words—the constitution has given to the chief civil magistrate the *Sword*;—but it has, most wisely, withheld from him the *Purse*. Give him the *sword* and the *purse*, and I would not give you one straw for your constitution or your liberty. Does not every man of common sense in the country understand this? But we will come, at once, to the *fact*, to which your attention is now particularly called.—On the 2d of December, 1818, a contract appears to have been made between the department of war and colonel James Johnson of Kentucky by which the latter was “to furnish transportation to the troops ordered up the Missouri river:”—This is more generally known by the name of “*the Yellow Stone expedition*.” It is here deemed proper to remark, that I do not find any law authorising an expedition of this kind at the public expense—for I will not admit, that a mere appropriation of money by congress for a particular object, is, of itself, sufficient to justify an expenditure of the public money on that object. To do this rightfully and legally, according to the construction and the practice which prevailed at an early period of our government, it was necessary that there should be also a law authorising the expense. This was the old-fashioned, sound republican doctrine—now scouted and laughed at by the present incumbents in power. But it is, nevertheless, none the worse for that. Under this noted, and, I must add, most extraordinary contract, [if any thing can be said to be *extraordinary* in these times of corruption and fraud] the Johnson’s—[for I must couple the honorable senator from Kentucky with his brother James, because he is in *fact*, although he could not be in *law*, a party to the contract]—drew immense sums of public money—to such an amount that even the house of representatives of the United States was awaked from its

slumber, and called for some information on the subject. The information was received—it was “ordered to lie on the table;” and the house—went to sleep again!

It appears, that from Feb. 17th, 1819, to June 25th following—a period of about four months, Mr. Calhoun, the Secretary of War, advanced to Col. James Johnson, singly for transporting the troops on this expedition, no less a sum than one hundred and ten thousand dollars! He then, as it will appear, refused making any further advances—believing, no doubt, as well he might, that those already made were quite sufficient for defraying the rightful charges of the expedition under the contract. But it seems he was altogether mistaken—for on the arrival of President Monroe, at Lexington, in Kentucky, on the 5th July, 1819—when on his second popularity-seeking tour—he wrote to the Secretary of War as follows:

LEXINGTON, July 5, 1819.

“DEAR SIR:

To prevent the loss, embarrassment and disappointment to the government and to the country, which would be the inevitable consequence of the failure of the expedition destined for the mouth of the Yellow Stone river, it will be necessary to make additional advances. *I have therefore to request*, that you will advance to Colonel James Johnson FIFTY THOUSAND DOLLARS on account of the contract made by him with brigadier general Jesup, for transportation on the Mississippi and Missouri rivers, and that an *additional* advance of FIFTY THOUSAND DOLLARS be made whenever he shall transmit to you transfers, regularly authenticated, of the four steam boats which he has now employed in the expedition to the mouth of the Yellow-stone river, as a further security.”

“The people of the whole western country, take a deep interest in the success of the contemplated establishment at the mouth of the Yellow Stone river. They look upon it as a measure better calculated to secure the peace of the frontier, to secure to us the fur trade, & to break up the intercourse between the British traders and the Indians, than any other which has been taken by the government. *I take myself very great interest in the success of the expedition, and am willing to take great responsibility to insure it.* With great respect, I am your obedient serv’t.

[Signed]

JAMES MONROE.

“P. S. On receipt of the transfer of the steam boats, you will make the advance *fifty seven thousand five hundred dollars*, instead of fifty thousand, as above stated.

[Signed]

JAMES MONROE.”

Now, I ask, what *right*, constitutionally or otherwise, the president of the U. S. has to direct the public money to be drawn out of the treasury, except for his own salary? I defy him or his friends to show

that any such right exists. If there be none—then the exercise of it is an *usurpation of power*. If he has the right to direct 107,500 dollars to be taken out of the treasury, as in the present case,—he has an equal right to direct ten millions, or the whole sum appropriated for the service of the year, to be paid and distributed as may best suit his own views and wishes, or for any object in which he may take “great interest,” and for the accomplishment of which he would be “willing to take great responsibility.” The principle, in either case, is precisely the same. You have, by the constitution, given him the *sword*, and he has *seized* upon the *purse*. Tamely submit to this,—and rely upon it, you may, ere long, in sober truth, prepare to “*roll up the parchment at the point of the bayonet*.”

In my next, I will state to you some more facts connected with this affair, accompanied by a few remarks from

A Native of Virginia.

NO. XIV.

In my last communication, I pointed your attention to the contract made in behalf of the general government with col. James Johnson, of Kentucky, for the transporting of troops and provisions up the Missouri river, & the unjustifiable & shameful advance of public money directed to be made to that individual by Mr. Monroe, the president of the U. States.—That you may form some idea of the waste of the public treasure, and of the corruption of the times in which we live, I now proceed to give you some further account of that notable contract, and the consequences which have resulted from it.

1. “Public notice was *not* given, (says the quartermaster-general, in his letter of 31st Jan. 1820) that proposals would be received for transporting these troops and provisions;” although the law expressly declares that “all purchases and contracts for supplies or services, which are or may, according to law, be made, by or under the direction of either the secretary of the treasury, the secretary of war, or the secretary of the navy, shall be made either by open purchase, or by previously advertising for proposals respecting the same.” Thus, the contract with col. Johnson was made, as it would seem, *in secret*—there having been no public notice whatever given of the intention or wish of the government to make such a contract; and thus, too, has the law of the land been set at naught and totally disregarded, for the purpose of giving to an influential personage of the west, a most lucrative and advantageous job, to the exclusion of others who would have undertaken it, as we shall presently see, for about one-fifth part of the sum paid to this favorite and courtier. And let it be forever remembered, that this most unlawful contract with Johnson, was made with the knowledge,

and under the immediate inspection and direction of president Monroe, whose constitutional duty it is "to take care that the laws are faithfully executed." 2. It is a remarkable fact, that in this secret contract, with col. Johnson, [for I must call it *secret*. since no public notice was given that any such would be made] there is no agreement as to the specific amount of money to be paid for the service rendered: but, says the contract, "the said James Johnson shall be allowed a reasonable compensation," etc. And what was this "reasonable compensation" allowed?—for articles conveyed in keel-boats, he was allowed 16½ cents per lb. when no more than *five and a half* cents per lb. were paid by the U. States to other persons, performing, at the same time, similar services! "In order (says a committee of congress) that the house may have all the means of judging of the merits of this transaction between the government and col. Johnson, and to enable the nation fully to understand how far economy has been consulted, a comparison between the prices now allowed and those given by the arbitrators to col. Johnson, was considered somewhat important."—The committee then go on to show, that, for the year 1821, (after public notice had been given that proposals for this service would be received) col. Johnson became a bidder to transport military stores, &c. to the Council Bluffs, at the rate of three and three quarters cents per lb.; and yet, for the same service, performed in 1819, under the secret contract, he was allowed 16 1-4 cts. per lb.! "It further appears, (add the committee) that among fourteen or fifteen bidders [see the effect of giving public notice, as the law requires] but one required over four cents per lb. and he less than 5 cents per lb. Can further remark or comment on this part of this shameful transaction, be necessary?"

3. The appropriation, in 1819, for the quartermaster's department, (in which is included the expense of transportation) was 566,000 dollars,—while the expenditures of that department, for the same year, amounted to 749,248 dollars 67 cents. This great excess of expenditure beyond the appropriation for the year, was, doubtless, owing to the exorbitant advances made to col. Johnson, under his secret contract—all of which advances, from 24th July to 8th Nov. 1819, were made under authority of president Monroe's letter, dated "Lexington, Kentucky, 5th July, 1819" a copy of which is inserted in my last number.

4. After giving col. Johnson credit for his exorbitant demands, as before stated, there still appears to be due from him to the U. States, [not to mention his contract for supplying the army with provisions] the sum of 76,372 dollars 65 cents. This, however, will not appear on the list of public defaulters for the next year, because the balance will not have been due "for more than three years prior to the 30th September last." And for the recovery of this sum, no legal steps appear to have been taken.

5. The only security taken for this money, appear to be the *steam boats* referred to in Mr. Monroe's letter, which the Congress committee pronounce to be "broken, feeble, and subject to constant decay:" so that, from every appearance, we may calculate on a total loss of this sum, as well as between 1 and 200,000 dollars wrongfully paid under the secret contract before mentioned. But this was a case in which our chief magistrate took "very great interest" and in which he was willing to take "great responsibility." Therefore, the thing must be all right and just; and he that says otherwise, will be denounced as discontented, factious, and so forth. But if such acts as these can be

committed with impunity, do not let us, I beseech, any longer object to that maxim in the British constitution, which declares that "THE KING CAN DO NO WRONG."

A Native of Virginia:

NO. XV.

Having, in my two last communications to you, called your attention to the conduct of our executive rulers relative to the illegal contract made with Col. James Johnson, of Kentucky, for the transportation of troops and provisions up the Missouri river; to the exorbitant and unconstitutional advances of the public money to that individual;—and to some of the consequences which have already flowed from these iniquitous proceedings, I now take the liberty of bringing to your view some other *facts* relating to the war department, from which you may be enabled to form an opinion for yourselves of the "wise system [I quote the words of the court paper—the National Intelligencer, as used the other day] of *responsibility*, of *competition* and *economy*, so happily introduced by the present Secretary" into that department.

By the statement which I shall now make and exhibit to you, it will be perceived, that the public functionaries have, without right or authority seized upon the public property and public money of the nation entrusted to their care, and loaned or given the same to individuals—but for what consideration is, as yet, a profound secret: No one can know that, except the parties directly, or indirectly, concerned.

1. To George W. Murray, of New York, there was loaned of lead belonging to the United States the quantity of 23 tons, 2 qrs. and 10 lbs.

2. To the same G. W. Murray, there was subsequently loaned of lead belonging to the United States the quantity of 28 tons, 4 cwt. 3 qrs. and 4 lbs. This property, thus illegally loaned, has not been returned; and although the loan was made several years ago, no steps appear to have been taken by the government to recover back the property or the value of it—and Murray is now understood to be insolvent.

There were loaned at the City of Washington, to Messrs. Stull & Williams, 600 barrels of musket powder, containing 60,000 lbs.—value 21,600 dollars.—Out of the 600 barrels of powder loaned, 200 barrels only appear to have been returned by Stull & Williams. They became insolvent.

4. To one Daniel Bussard, of Georgetown, [D. C.] there was loaned or advanced by the present Secretary of War, the sum of 10,000 dollars "to enable him to erect works on Point Creek, suitable for manufacturing powder." This loan of the public money to Bussard, for three years, and "*without interest*," was to enable him to make

good the deficiency of Stull and Williams; with whom he was originally concerned.—He had, however, in February last, delivered but 187 barrels of powder on account of Stull and Williams. For the 10,000 dollars loaned to him, without interest, he has promised, within three years from the date of the loan to deliver, on his own account, 40,000 pounds of powder.

5. To Messrs. Dupont, de Nemours and Co. of Wilmington, [Del.] there were loaned in June, July and August, 1817, the enormous quantity of three thousand five hundred and twenty-eight barrels of powder, containing 352,902 pounds. This unlawful loan appears to have been made by lieutenant colonel Bumford, with the consent or by the direction of George Graham, then acting Secretary of War, now president of the United States branch bank at Washington city—and, doubtless, with the privity and consent of his particular friend James Monroe, President of the United States, whose constitutional duty it is, to “*take care that the laws are faithfully executed.*” The considerations which induced this loan of the public property are not generally known. Certain, however, it is, that the government or the country, has received no pecuniary advantage from it—for there remained unpaid or outstanding, of this loan, in February last, a quantity exceeding two hundred and seventy thousand pounds of powder! No compulsory steps appear to have been taken to recover back the property, or the value of it.

6. On the 21st of December, 1817, Colonel Bumford and Mr. Graham, as above, loaned 50,000 pounds of powder belonging to the public, to one Peter Bauduy, and took his bond with security. No part of this property appears to have been returned. The principle has absconded, and the sureties are insolvent. No legal proceedings were ever instituted to recover back the property or its value. It does not appear at what time, or whether there was even ever a *demand* made of Bauduy to return the property loaned.

7. To Israel Whelan, of Philadelphia, there appears to have been loaned in 1817, four hundred barrels of powder belonging to the United States. I cannot say whether this property has been returned or not.

8. To John R. Mifflin, there appears to have been loaned four hundred barrels of public powder. No part of it returned—and the whole supposed to be lost.

Taking these facts (which no respectable or responsible man will dare to deny) in connection with the *secret* contract made between a branch of the war department and Colonel James Johnson, of Kentucky, what think ye now, Messrs. Editors of the National Intelligencer? Will ye all tell us of the “wise system of responsibility—of competition and economy, so *happily* introduced” into the war department.

Can it be possible that the people will, after so many proofs and exhibitions of facts like these, continue to be lured and gulled by mere empty words—to every one of which *the facts* in the case, flatly contradict or give the lie? If they do—then, indeed, may it be said—and said truly—“THEY ARE THEIR OWN WORST ENEMIES.”

NO. XVI.

In the last preceding number of these essays, you were made acquainted with some extraordinary facts, relative to the loss of the public property, by means of its having been unauthorizedly and illegally *loaned* to individuals by the executive officers who had it in charge, and who were bound, by every principle of honor and good faith, to take care of and preserve it. These improper and unauthorised proceedings have, as I contend, been virtually sanctioned and approved by the chief magistrate of the country. A knowledge of the fact was, long ago, known to him; and in some instances, it is believed, the act was done with his immediate approbation and concurrence. But, at any rate, he has since given his sanction to the whole, for every officer [with the exception of one poor subaltern, who undertook to do what his superiors had done before] who has been engaged in this unlawful business still retains the confidence of the president and enjoys the emoluments of his office. *Not one of them has been called to account for the illegal deed.* Does not this conclusively show, that the president has given his sanction to these unlawful acts? Nay more—may it not be fairly inferred that, as the transactions took place at Washington, he was privy to, and directed them to be done? Although a very considerable pecuniary loss to the country will accrue from these breaches of the public trust, yet that is not of so much consequence to you, as the *effects* which will inevitably be produced by *your* sanctioning acts and principles of this kind. If one description of public property can be loaned, or given away by those entrusted with it, a similar disposition may be made of any other description, such, for example, as the public vessels and even the public money. Indeed, the “advance,” as it is called, to Daniel Bussard, of ten thousand dollars, as stated in my last number, was, to all intents and purposes, a *LOAN* of the public money, without the shadow of right or of law to justify it. I defy the ingenuity of man to show, that there was either right or law to do this, or that Congress ever made any appropriation for such an object. And yet the thing has been done, and the fact is upon record,—notwithstanding the constitution declares that “no money shall be drawn from the treasury except on appropriations made by law.” But it does most unfortunately happen, that in this ‘era of good feeling,’ [as Mr. Monroe expresses it] neither the constitution nor the laws appear to be much regarded. The plain, honest, independent spirit of this people seems to have entirely left them. Instead of adhering steadily and steadfastly to principles, such as brought them into national existence,—they are fawning and clinging to *men*—because these men are in power: dispense favors, and distribute “the loaves and fishes!” Thus, instead of guarding our rights by keeping a vigilant watch over those whom we have entrusted with the national concerns, and punishing by our displeasure and disapprobation [if nothing more] every wilful aberration from duty or violation of trust,—we suffer ourselves to be lulled to sleep, and repose while “the wolves in sheep’s cloathing” are secretly laying their plans for our destruction. The thirst for speculation and for office, seems to me to have wrought an almost entire change in the manners, habits and principles of the American people. This disposition increases, it would

seem, with the extent and increase of the executive patronage; and this will always, in my opinion, be the case, so long as we continue the present irresponsible practice of revenue; not by taxes, fairly, openly and honestly laid, but by arch cunning, trick and legerdemain. This business has been so dexterously managed by the great political jugglers, that in some respects, the federal government has become almost alien to the great body of the people. They never reflect or think about the waste and extravagance (to say nothing worse) of those who disburse the public money: because it is not drawn directly from their pockets. I put to you these plain questions: Had the vast sums which have been extravagantly, and I will add illegally "advanced" to individuals who will not, because they now cannot, return it, been drawn directly from your pockets in the way of taxes, would you patiently submit to it without murmur, and not even institute an enquiry into the matter? Would you, if the President were publicly and solemnly to proclaim to you and to the world, that so many millions of the public debt had been paid off "without any burthen upon the people," believe him? Would you, [if you paid your taxes directly] agree to keep up your present expensive establishments with all the waste, profusion and dishonest practices attached to them, and borrow money, besides, to support and maintain them? To each of these questions, every sensible, honest, and discreet man in the nation will, I am sure, unhesitatingly answer,—No! Why, then, would you give a different answer because your taxes are drawn from you *indirectly*, they being dexterously stuck into the price of most of the things you purchase, any of which have become necessities of life? Were you to reflect and *think* a little on the subject, your answer would be the same in both cases. To suppose that a large annual revenue can be raised in a state "without any burthens upon the people" is almost to suppose an impossibility; and the man [I care not how high his station, and the higher the worse for him] who endeavors to impose upon you such an absurdity, is, and will be so pronounced by impartial posterity, *a deceiver and a hypocrite*. These are no times for mincing words. It is high time that *men* as well as things should be called by their proper names. I have before remarked, that I am no party man, in the common acceptation of the term. I have nothing to ask, to expect, or to *fear*, from any party in power, so long as the present constitution stands. I care not to which party a public delinquent or defaulter belongs; whether he be a federalist, republican, democrat, or jacobin; whether he be in high or low station, I will pursue him through the labyrinths of his iniquitous proceedings, and hold him up to public indignation. I will bind the victim and drag him to the altar. His escape or punishment will rest with you.

But I am [imperceptibly almost] led from my main design; which was simply to state facts, and leave to others the task of drawing the inferences from them. When I commenced the present number, it was with a view of noticing a few more illegal acts of the war department, from which the public may have a still further opportunity of judging of the "wise system of responsibility, of competition and economy," which Messrs. Gales and Sea on tell us has been "so happily introduced" into that department; but I find that to do this now would extend this communication beyond the limits prescribed for it. The subject of abuses in the war department, is therefore for the present deferred, but will be resumed in my next number.

A Native of Virginia.

NO. XVII.

I do not believe that a single newspaper in the United States has published the report of the Committee of the House of Representatives on Military affairs, of the 15th February last, "upon the subject of the employment of officers in the army, as clerks in the departments, and the extra pay allowed to them for such service. How this has happened I will not pretend to say. Not only the report above mentioned, has not been published, (at least I have never heard of its having been published) but there are several other most important public documents, of a similar nature, exhibiting the conduct of our executive rulers in matters of vital importance to the people at large, which, I believe, have never been published in any of the public journals of the country. These reports, it is true, have been *printed for the use of the House*—but they have never been circulated, as they ought to have been, for the information of the people generally. Our gazettes have been filled, page after page, with the fulsome addresses to "The Queen"—(as we were wont to call the half repudiated wife of the British King, in this country) with the disgusting obscenities of her trial; with "The King's" coronation, and so forth—to the exclusion of highly important state papers, which ought to be in the hands of every intelligent freeman in the country. Some printers of newspapers are more excusable, I admit, than others, for this apparent neglect in all—because some cannot, without much trouble, and some expense, obtain the original printed documents from the seat of the general government. But what shall we say of the editors of the "*government paper*" as the "*National Intelligencer*" is generally and correctly called, in this respect? These editors are the printers for both Houses of Congress. From them especially we have a right to expect full and prompt information on all subjects connected with the federal administration. Indeed, in their published prospectus they declare, among other things, that the "*National Intelligencer*" publishes, originally, the "*proceedings and debates of Congress, and contains, also, all the state papers and documents of public interest, laid before Congress, or originating in that body.*" Now I will ask who has seen published in that paper, or any other, two reports of a select committee from the House of Representatives relative to the contract with James Johnson, of Kentucky, for transporting troops up the Missouri?—or the report of another committee, last year, on the subject of public abuses, by the unauthorised and illegal loan of the public money, and other public property, and the consequent loss thereby?—or of the report of the Military committee abovementioned, and several others which could be named? Who has ever seen a report of the speech of Mr. Johnston, a member of the House of Representatives from Virginia, wherein, in a voice of thunder, *he bearded the President in his palace*, for having made for public account, an unauthorised loan from one of the banks, and for having *exceeded the appropriation* made by Congress for the President's household. N. B. This said Mr. Johnston was a lawyer in one of the interior counties of Virginia; and a few weeks after he had made this direct attack upon Mr. Monroe he was made *collector of the customs at the port of Nor-*

folk—although it is highly probable, that, before his induction into that office, he had never seen “a Clearance” or “a Manifest.”

But we will return to the report of the committee on Military affairs.—It is too lengthy to be inserted, entire, in the present communication. I will give you the substance of it. The committee ascertained and reported that no less than *fifteen* officers of the army, of different grades, were employed as clerks in the different departments at Washington; and for that service were “detailed by order of the war department.” The aggregate amount of money paid, in a very short time, for these “extra” services, as they are called, amounts to \$9,753 50 cents; their pay and emoluments as officers in the army, were, at the same time, received by them. On this head the committee remark: ‘The statements furnished them, shew, that, in addition to the pay and emoluments [as army officers] and *extra* compensation, each of the abovenamed officers *have received payment for cloathing!* The committee are unadvised of any law to justify it, especially when they see neither of them has employed a private servant, and for the cloathing of *whom only* is an officer permitted to receive money in lieu of cloathing.” The committee, in conclusion of this part of the subject, further remark: “When an officer is detailed to perform duties in the departments, such as have been described, they cease to render any other; when they perform no duties as officers, but merely act as clerks, it seems unreasonable to pay them as officers, and, at the same time, compensation as clerks. When they *cease* to perform the functions of officers, but yet receive their pay and emoluments, the committee believe they should be content; that they have no legal or equitable claim to extra compensation, because extra payment is predicated on a supposition that additional duties are performed. In the present case, the supposed additional duty is the only service required of them, and that, in reality, *they perform no service whatever as officers of the army.*”

On the subject of compensation allowed to the surgeon general of the army, the committee go on and make the following statement: “The committee thought it incumbent on them to extend their enquiries to the compensation allowed the surgeon general, in addition to his salary fixed by law. They find from the statement furnished by the third auditor, that Doctor Joseph Lovell, the surgeon general, has been paid, in addition to his annual salary, from the 1st of October, 1818, to the 30th Sept. 1820, four quarters, 864 dollars; and for fuel for the same period, 452 dollars 25 cents, making an aggregate of 1,316 dollars, 25 cents. The act of Congress establishing the office of surgeon general, provides, that he shall be allowed a *salary* of 2,500 dollars, making no provision for any other or extra compensation. The committee are surprised that a construction should be given to this law, by which the surgeon general shall be enabled to receive compensation beyond the limits of his salary, unless they bring to their aid the practice which appears at all times to have prevailed “in some shape or other” [quoting the words of the secretary of war] to allow the officers, *at the seat of government*, extra compensation.”

“If the word salary (continue the committee) has an appropriate meaning, it certainly must be a stated or settled hire to the person who performs the duties of the office to which the salary is attached: no authority in this government, except the legislative, is deemed competent either to increase or diminish it. [Sound, old-fashioned reasoning this.]

The committee are of opinion, that no precedent, contrary to law, ought, or can have a binding influence. The case of the physician and surgeon general adverted to by the secretary of war, was erroneous in the beginning, *and not an example worthy of imitation.*"

The committee proceed: "It is alleged by the secretary of war, in justification of the extra allowance made the surgeon general, that it hardly admits of a doubt, that he, who is liable to be ordered into active service, would be entitled to claim public quarters, if there were such where he might be stationed, and that it is clear he, in common with other officers, has a right to the allowance for them if he should be stationed where quarters cannot be furnished by the public. It appears to the committee, this argument is more specious than solid; (weak and puerile they might have said)—the law provides, that other officers shall receive pay and emoluments, *and enumerates quarters and fuel as articles included in the provision intended to be made;*—but in the case of the surgeon general, the law provides a salary of 2,500 dollars, which the committee think, and which they believe the legislature thought, should be in full for all services. If the surgeon general would be entitled to quarters & fuel when ordered into active service, it is not understood by the committee how his *liability* to be ordered into active service, could entitle him to compensation for them before that liability attached. If an officer is entitled to either pay or emoluments upon the contingency of being ordered into active service, it seems an arbitrary construction to grant him either, before the happening of that contingency.—In no point of view can the committee perceive the propriety of this allowance, which as yet does not appear to be supported even by the authority of precedent."

Such, fellow citizens, is the report, and such the views of some of your immediate Representatives in Congress, of the proceedings and conduct of an important branch of the government, placed by the law which established it under the immediate and direct control of the President. In further proof that the law never intended to give to the surgeon general any other compensation for his services than the annual salary of 2,500 dollars, let it be remembered that the secretary of war himself, in the annual estimates for the expenses of our military establishment, asks for 2,500 dollars only for compensation to the surgeon general, without requesting a cent for "fuel or quarters" or any thing else. He well knew that, under the existing laws, Congress would not appropriate for any thing beyond the salary allowed. [See the annual estimates for appropriations, &c.] But there are many ways of evading the laws, or, in homely phraseology, "of whipping the devil round the stump." All of which our rulers seem to understand very well. The large sums appropriated for "*contingencies*" afford ample scope for the exercise of their ingenuity in disposing of the public treasure committed to their charge, and as may best suit their own views and purposes. But what is here stated is trifling compared to some other things which will, which *must* appear before the public in due time. The alarm has been given. The people are beginning to open their eyes and to *think*. Woe be unto those who have so shamefully abused their generous confidence. The awful day of reckoning is not so far distant as many imagine. It is the bounden duty of every honest man in the nation to aid in the great work of reformation. It shall be my especial care, if life and health permit, not to flag or relax in my

present undertaking, until a complete exposure shall have been effected.

A Native of Virginia.

P.S. The office of surgeon general is now and has for some time been a complete sinecure. I am credibly informed, that for the disbursement of about 30,000 dollars in this department, it cost the public about 10,000 dollars. Here then, is a much heavier and more expensive "Drone" than any that has yet been exhibited to public view. But whenever a *proper* investigation shall take place, they will be found to exist "as plenty as blackberries" in their season. Did any body ever hear of our present chief magistrate recommending to Congress the abolishing of an office? What he will say next week, in his message on the subject I know not. He would willingly tell us, no doubt, *if he could*, how much of the public debt has been paid off this year. He will, however, tell us how much money was in the treasury on the 30th September last: but he *will not* tell us how much of this was "*available funds*." He will not tell us, (I think he will not) that there is, *at this time*, one dollar of available cash in the treasury—nor will he tell us how much the government has *overdrawn* upon the United States' Bank, to "keep the wheels of government" in motion. But all things will, nevertheless, and in due season be found out.

December 1, 1821.

NO. XVIII.

The two most prominent candidates for the next presidency, are, Mr. Adams, Secretary of State, and Mr. Crawford, Secretary of the Treasury. To enable you to make some estimate of the relative merits of these two personages, and of their fitness for the station to which each of them aspires, it may be well for you seriously to consider the *facts* stated in this communication.

The official situation of the Secretary of State is peculiarly favorable, at this juncture, to his becoming the most popular member of the administration. He has nothing to do with providing "the ways and means" for the support of the government, and but little agency in disbursing the public money, on account of which such enormous abuses and defalcations have taken place, and respecting which the public attention has at length, been roused. Nor has he at this time, any diplomatic business of much importance to transact. The only *ways and means*, therefore, which he has to contemplate or devise, are those which will be the most likely to discomfit his competitors and place himself in power. In this respect he is following the plan of some of his illustrious predecessors. They found out, that the right way to the

hearts of the most influential members of congress was directly down their throats; hence we now see this economical, if not penurious. New England gentleman making *levees*, and giving *feasts* twice and thrice a week, at an expense, as every body must know, far beyond the income from his office. Cannot even the veriest simpleton in the country perfectly understand this? But I admit that, abstractedly, we have nothing to do with Mr. Adams' parties, or his expenses; and had it not been that I had something else to say about him, in which the people are concerned, I should never have written a word about him or his entertainments.

I have already said, that Mr. Adams has but little agency in disbursing the public money—there being, comparatively speaking, but little placed under the control of the department of state. But as, (according to vulgar saying) “straws will sometimes show us which way the wind blows,” we may be enabled to form a tolerably correct opinion of what he would do, in this respect, were the power and the means in his possession. The principal appropriations of public money on which the Secretary of State has the privilege of drawing, by way of “advances,” are, those for diplomatic purposes, including all foreign intercourse—the contingent expenses of the Secretary of States' office, and for taking the census—amounting, altogether, to not more than half a million of dollars.

Now, I would ask, with what propriety, or from what motive, the Secretary of State recently drew about 100,000 dollars out of the public treasury—or, what is the same thing, out of the Branch Bank at Washington, where the money was deposited, to the credit of the Treasurer of the United States—and placed it in the Bank of the Metropolis? That he did so I have no doubt—for the fact was communicated to me from the very best authority. The local banks of the District of Columbia have no right to have the public money deposited in them, either to Mr. Adams' credit, or to the credit of any body else—with the exception, perhaps, of one bank only, in Alexandria, where it may be more convenient to collect the custom house bonds. Whether this money, therefore, was, after it was drawn from the treasury, placed to Mr. Adams' individual credit, or to the credit of the treasurer of the United States, the act was incorrect and illegal. But if the fact be as it has been stated to me, and of which I have no doubt, the money was, immediately after it was drawn, entirely out of the control of the treasury, and cannot even help to eke out the amount which we have deceptively been told, in the late message of the President, will be in the Treasury on the first day of January next. But why, it will be asked, should the Secretary of State be thus friendly disposed to the Bank of the Metropolis? I answer—he has been a dealer in stocks in the local banks, and is now, and has for some time been a *Director in the Bank of the Metropolis*. This will account for the whole proceeding: And although some folks may not think highly of his foresight or sagacity in purchasing a few years ago at par, stock which is now about 25 per cent discount—that is no immediate concern of the people—except in so far as it may enable them to form some small estimate of the sound judgment and discretion of one who aspires to be their chief ruler. But, it may be asked, admitting that the Secretary of State has done all this, what injury will the public sustain by it? The amount of money here spoken of, it is true, is not very large—not exceeding, perhaps, one

hundred thousand dollars—therefore, in this particular case, no very great injury could arise, except that, by sanctioning abuses and illegal acts of this sort, others may be tempted to “*go a d do likewise*,” until at last the “wheels of government” might stop for want of the where-withal to make them move. Indeed it is a solemn fact, and upon record that the public treasure of the nation does some how or another, find its way into almost every local banking institution, [and many of them rotten to the core] where individual public agents *happen* to be either Presidents or Directors, or Stockholders; or connected with the said Presidents, Directors, and Stockholders of the said institutions. This will account for the continued increase of the “unavailable funds” which our rulers have, [*but very lately*] discovered to be on hand; and also for the *overdrawings* of the Treasury on the United States’ Bank; for which the public is charged with interest, *let who will say to the contrary*. All this inconvenience and expense, not to mention the loss of public character, and the prostration of the public morals, might have been prevented by pursuing a plain, honest and legal course; such a one as every man of common feeling and integrity would advise his son or his friend to pursue in his intercourse with the world. But it seems that every thing must be done by our great folks, our politicians and office seekers, by *trick* and by *management*—taking it for granted, as it would seem, that common sense, and common honesty too, have fled the land.

For the present I take my leave of the Secretary of State for the purpose of paying my respects to his opponent, the Secretary of the Treasury.

It is a trite saying, and, in the general, I believe, a true one—that “a house divided against itself must fall.”—That there is a schism in our “Cabinet,” there can, I imagine, be no doubt. This may remind us of another adage, equally portentous to these great combatants—that “when ***** fall out honest men come by their own.” That either of these gentlemen will ever realize the expectation which he may now have of being elected to the Presidential chair, I have not the most remote idea. For, in despite of all the exertions, the management, the twistings and twinings that can be made to conceal them, many of the foul and corrupt deeds which have disgraced the administration of our affairs for many years past will—nay, *must* come to light. The foundation on which our high political rulers rest is rotten. It cannot long support them. The thick veil which covers the iniquities of the present age has already been pierced. The people cannot be much longer duped. The day of retribution is nearer at hand than many imagine. The common sense of the nation cannot much longer sleep. I beg pardon for making this digression. Let us now to the facts.

In casting my eye over a public document, which, I fear, even our members of Congress do not sufficiently scan, containing an account of receipts and expenditures of the United States for a given period of time—I was struck with an item among the receipts of “Interest received from Banks.” This being a new source of revenue, (new to me at least)—seeing there was no law for loaning the public money to Banks, nor authorising any other dealings with them, my inclination led me to make some inquiry into the matter. Among other objectionable and highly culpable things, I have discovered that Mr. Crawford, as Secretary of the United States’ Treasury, had actually loaned to the Central Bank of Washington and Georgetown, about forty thousand

dollars, at one time, of the public money, and this too at a period when the most abominable frauds were committed on or in that institution by the receipt of between thirty or forty thousand dollars of its own notes, [*all of one denomination, to wit, 100 dollars*] by its own officers, and which notes, as since alledged, were all counterfeits! The run on the bank was so great, I understand, by the presentation for payment of these spurious notes, that application was made to the United States' Treasury for aid. The required aid, it seems, was given; and thus the people's money was most unworthily and illegally employed to keep up the tottering credit of an ill-managed, if not rotten institution! Now, I ask, where is to be found the law or the authority to justify a proceeding of this kind? Perhaps, we may be told, that this was not a formal loan of money, because it was a transfer of so much from the account of the Treasurer of the United States in the Branch Bank, to an account, *to be opened*, or already opened, if you please, in the name of the said Treasurer, on the books of the Central Bank. Be it so,—this does not in the least, change the nature of the transaction—for the money was deposited in the latter Bank to enable it to meet the pressure which was made upon it; and therefore was, to all intents and purposes, A LOAN—the whole of which is not paid to this day, or, at any rate, was not four weeks ago. If the Secretary of the Treasury can rightfully cause an account to be opened in whatever bank or place he pleases, in the name of the Treasurer of the United States, and then direct the public treasure to be taken from the legitimate place of deposit, and transferred to such a bank or place, it will give him complete and absolute power and control over the national revenue. There need, in such case, be no law directing where the public monies shall be lodged for safe keeping; and the constitutional provision that “no money shall be drawn from the Treasury but in consequence of appropriations made by law,” will become a mere nullity and dead letter. Under such circumstances and practices, every available dollar in the public treasury might be taken out of it, while, at the same time, the *apparent* balance in it, made up, as it now is, from accounts and exhibited *on paper*, might amount to several millions of dollars. This is all perfectly familiar to those members of Congress and others who are conversant with the public accounts, and who have made “the Treasury system” a part of their study.

As one of the people having some interest at stake in common with others, being neither a wisher nor expectant for any office, and actuated solely by a desire to promote the general welfare, I would respectfully recommend to our representatives now assembled, to ask from the treasury department the following information:

1. A detailed statement, looking backwards for at least four years from this time, shewing, in quarterly exhibits, the amount of public money standing to the credit of the Treasurer of the United States, in the books of the several banks of the United States, where the public money has been deposited.

2. A similar statement shewing the amount of public money transferred from one bank to another, designating the banks; the time when such transfer was made, and the cause for making it.

3. A similar statement, shewing in what banks *special deposits* of the public money were made—the times when—and wherefore.

4. A particular statement, shewing the precise amount of the "unavailable funds" belonging to the treasury—shewing also the banks or places where these funds are, and how and when they got there.

It is truly a matter of great regret to me to be constrained to make these public exposures; and that regret is heightened by the *necessity* which I find there is for making them. It is no part of my disposition or my nature, wrongfully to charge any man in or out of office. And, as I have heretofore stated, I will cheerfully and publicly correct any error into which I may have fallen in the course of these strictures on men and measures, whenever it shall be fairly pointed out to me. *I court and challenge public investigation.*

In the beginning of these essays, I promised to say something about the "Sinking Fund." In regard to that subject, I shall endeavour to demonstrate in my next number, that the public faith has been violated and the law of the land disregarded.

A Native of Virginia.

No. XIX.

Amidst all the political conflicts which have taken place between the different parties in this country, since the adoption of the present constitution, there has, until lately, been paid a most scrupulous regard to the preservation of the national faith, as regards the payment of the public debt, and the application of the funds specifically and solemnly set apart for that object. It has (as will hereafter appear) been reserved for the men now in power to set at naught the important and wise provisions of the law in this respect; and thus to proclaim by their *acts*, at least, that "a public debt is a public blessing."

The establishment of the "sinking fund" is nearly co-eval with the existence of the federal government. The creation of such a fund had a two-fold object in view: one to effect "by all just and proper means, the desirable end of reducing the amount of the public debt," and the other to "be beneficial to the creditors of the United States by raising the price of their stock"—thus holding out a pledge to the people at large, on the one hand, and a promise to the public creditors, on the other. We shall presently see in what manner this pledge and this promise have been and are proposed to be fulfilled.

The "Sinking Fund," as it is called is a sum of money, the amount of which is fixed by law, set apart for a particular and specific purpose; namely, for the payment of the interest, and the reimbursement of the principal of the public debt. For the management of this fund, the law has named and appointed five commissioners, who are called "commissioners of the sinking fund," namely: the President of the Senate, the Chief Justice of the United States, the Secretary of State, the Secre-

tary of the Treasury, and the Attorney General, all for the time being. [See acts of congress of 12th of August, 1790, and 8th of May, 1792.] The sinking fund was, from time to time, increased (never *diminished*, as the present Secretary of State now recommends) until, by the act of 29th of April, 1802, about a year after Mr. Jefferson came into power, it was fixed at 7,300,000 dollars; and it was, not long afterwards, on our purchase of Louisiana from France, increased to eight millions of dollars per annum. At this rate it stood until the year 1817, when, by the act of the 3d of March, of that year, it was further increased to the sum of ten millions of dollars per annum, which is the present amount of the sinking fund. This act is entitled, "An act to provide for the redemption of the public debt;" the second section of which runs in these words: "that from the proceeds of the duties on merchandize imported, and on the tonnage of vessels, and from the proceeds of the internal duties, and from the sale of western lands now belonging, or which may hereafter belong to the United States, the annual sum of ten millions of dollars be, and the same is *yearly* appropriated to the sinking fund; and the said sum is hereby declared to be vested in the commissioners of the sinking fund in the same manner as the money heretofore appropriated to the said fund, to be applied by the said commissioners to the payment of interest and charges, and to the reimbursement or purchase of the principal of the public debt; and it shall be the duty of the secretary of the treasury, *annually to pay to the commissioners of the sinking fund the said sum of 10,000,000 of dollars, in such payments and at such times in each year as the situation of the treasury will best admit.*" This law remains unrepealed. By it, the Secretary of the Treasury is directed to pay to the commissioners of the sinking fund, the sum of ten millions of dollars *yearly*, for the purposes above named, out of the proceeds of duties on merchandize imported, and on the tonnage of vessels, from the proceeds of the internal duties, and from the sale of western lands belonging to the United States." The money thus set apart for the payment of the principal and interest of the public debt must, in conformity with the provisions of the law, be paid in *preference* to any other monies appropriated for any other object, with the exception only, perhaps, of the old reservation of 600,000 dollars mentioned in the law of the 4th of August, 1790, (vol. 1. p. 147.) And this will appear the more clear by recurring to all the acts of Congress passed since the 3d March, 1817, appropriating public money; by which it will be seen that the money appropriated, no matter for what object, with the above exception, is expressly directed to be paid "*out of any money in the treasury not otherwise appropriated.*" Now, is it not clear, that the fund set apart and solemnly pledged for the redemption of the public debt, has been *seized* upon in violation of the law, and applied to other objects of expenditure? It is no answer to this to say, that the ten millions of dollars would not be wanted, because, owing to the advanced price of the public securities, it could not be applied. So long as the law remains in force (and it cannot be altered to the disadvantage of the public creditors without a palpable violation of the public faith) the Secretary of the Treasury is bound (if there shall be so much in the treasury) and the law makes it his "*duty*" to pay, annually, to the commissioners of the sinking fund, the sum of ten millions of dollars, for the purposes abovementioned.

tioned. The other appropriations are directed to be paid "out of any money in the treasury not *otherwise* appropriated." I will take occasion here to correct a mistake made by Mr. Niles, editor of the *Weekly Register*, in his paper of the 22^d of Dec. At the close of a very able and comprehensive article on the state of the treasury, and which I would recommend to the attentive perusal of every man in the country, he says, speaking of the sinking fund—"But in 1821 the usual *appropriation* of \$10,000,000 was not made, and of course there was no surplus, nor does the Secretary calculate on such an *appropriation* for 1822." It will be seen, however, by reference to the law of 3d March 1817, above mentioned, that the appropriating of ten millions is a prospective "yearly" appropriation; and that sum must, in conformity with the express provisions of the law, be carried to the account of public debt on the public books each and every year." If the *Register* had said, there had been no *estimate* made by the Secretary of the Treasury for the whole amount of the ten millions, it would have been right. The reasons for his leaving them out of the estimate are obvious; but they need not be mentioned just now, though it may hereafter be useful to advert to them. What I contend for is this, that neither the "estimates" of the Secretary of the Treasury, nor the report of the committee of ways and means, whether bottomed on those estimates or not; nor the grants of money made by Congress, founded on these documents,—do alter, change or repeal any part of the act of Congress of the 3d of March 1817; and, consequently, do not absolve the Secretary of the Treasury from his obligation to pay to the commissioners of the sinking fund yearly, and every year, the ten millions of dollars specially pledged and appropriated "for the redemption of the public debt." And he who will say otherwise is, in my judgment, prepared to sanction a principle destructive of the best interests of this country,—to violate the pledged faith of the nation. It can be no answer to my argument, to say, that there was an *understanding* in Congress, or by the Executive, that these 10,000,000 were not to be used; or, if you please, that they could not be used. *I say they are appropriated and directed to be paid over to the commissioners of the sinking fund.* The source from which the money is to come is particularly designated; the law remains on the statute book *unrepealed*—and he whose bounden duty it is "to take care that the laws are faithfully executed" is bound to see that it is put into execution! If Congress choose to pass a law "impairing the obligation of a contract," or do any other act of bad faith towards a public or a *private* creditor—be it so. I am not here disputing about the powers of that august and—I had almost said omnipotent—body, as regards our national concerns; but I am endeavouring to shew, as I promised to do in my last number, that "the law of the land (as it now stands) has been disregarded." I think it is clear, from what has been stated, that the appropriations for the redemption of the public debt, have a preference or priority over other appropriations. And it is equally clear, that the appropriations made for that object, cannot be legally applied to any other; for it is expressly declared in the act of Congress of the 3d of March 1809 (vol. 9. p. 252) that "sums *appropriated* by law for each branch of expenditure in the several departments, shall be *solely* applied to the objects for which they are respectively appropriated, *and to no other.*" The proviso which follows, authorizing the President to direct

a transfer of appropriations, in certain cases, has no reference whatsoever, to appropriations made on account of the public debt; and no one will, I presume, as yet, have the hardihood to say it has. Nor can any unexpended amount of the appropriation for the redemption of the public debt be carried [as some persons contended it would] to the credit of the account denominated the 'surplus fund;' because the law makes express provision to the contrary. [See 165 of the act of 3d March 1795, vol. 3, p. 204.]

But, may, with an air of triumph, be asked, "would you keep several millions of dollars in the treasury, unemployed, which the commissioners of the sinking fund cannot, under the provisions of the law, apply to the extinction of the public debt? What more do you want than that the public creditors should be promptly paid all that they can legally demand?" This I would say, was something like begging the question. And yet these are the only reasons which I have ever heard given for laying violent hands on the sinking fund; although we have it from high authority, no less than the secretary of the treasury himself, that, in a recent case, some of the public creditors had exercised great "*forbearance*." In fact they had not been paid according to promise: but they, nevertheless, "by hook or by crook" got their interest at the rate of *six per cent per annum* up to the time the last "fragment" of the debt was paid.—But I contend, that it is of no consequence in the present discussion, whether the whole amount of the sinking fund can, in any one year, be used or not. The object in establishing it, as I have before remarked, was two-fold—one to effect "by all just and proper means the desirable end of reducing the public debt;" and the other to "be beneficial to the creditors of the U. States by raising the price of their stock;" and further to "be productive of considerable saving to the United States." See act of 12th Aug, 1790, vol. 1, page 202. That the public creditors, [as well as the community at large] have a direct interest in carrying the law of 1817, establishing the present sinking fund, into full effect, as regards the yearly payment of ten millions of dollars to the commissioners of the sinking fund, must be, to every unclouded, candid mind most clear and manifest. It will be admitted, I presume, on all sides, that the demand for an article has a tendency to enhance its price, and the greater the number of persons wanting it, the greater the demand will be. All subscribers to a public loan, and all the subsequent purchasers of stock growing out of it, pay their money under a firm and well founded belief, that the government is in good faith bound and pledged, to carry into complete effect all of its promises and engagements relatively to the extinguishment of the debt, the evidences of which they, respectively held. If the government fail to do this, it commits a breach of the contract. It matters not, on the score of principle, to what extent this breach is committed; because when one part of the contract or promise is violated, the same power will, if necessity urges, violate another and more important part; until, at length, to use the language of the justly celebrated Mr. Hume, "the whole fabric, already tottering, falls to the ground and buries thousands in its ruins." Such is the delicate nature of public credit.

Far be it from me, however, to wish to excite any thing like a distrust in the mind of any one either as to the ability or the inclination of this government to pay its just debts. But that the legal provision to effect this object has remained unexercised by the executive branch; must,

I think, be apparent to all. In a few years to come a large amount of the public debt will, according to the terms of the respective loans, be payable. There will probably be no money in the treasury, as every body now knows, to pay it—although the appropriations for that express purpose have been made; but these have been seized upon, and, unlawfully applied to other objects. To obviate this difficulty, and to satisfy the law, as well as he can, the secretary of the treasury proposes to pay the debt becoming due by contracting another to an equal amount. Will not the holders of other Stocks of the United States have a just right to complain of this? Would not the payment, in money, of the debt falling due, and thus giving full scope and effect to the operations of the sinking fund, enhance the value of the remaining stock on hand, by taking out of the market a large amount of the public securities? Each of these questions may be safely answered in the affirmative. By giving full operation to that fund we should, in the language of the original law establishing it, “effect the desirable end of reducing the amount of the public debt;” while it would also “be beneficial to the [other] creditors of the United States by raising the price of their stock.”

A Native of Virginia.

NO. XX.

In my last communication to you, I endeavored to show, and I think I did prove, that the laws which had been passed for the extinguishment of the public debt, and solemnly consecrated to that object, had been disregarded and set at naught by those whose bounden duty it is, “to take care that they are faithfully executed.” If I am wrong in saying this, let the contrary be shown. I will yield to superior argument, and to reason; but it is no answer nor argument to say, that the receipts into the treasury have been *insufficient* to pay all the demands against it. I contend, that the specific appropriation of ten millions of dollars, for the purpose of paying the interest and reimbursing the principal of the public debt, has a priority or preference over other appropriations, according to the law, as it now stands; and that it was illegal to take from this appropriation, any money, for the purpose of applying it to other objects of expenditure. I contend further, that it is not competent even for *Congress*, without committing a palpable and violent breach of the national faith, to direct any part of the surplus of the sinking fund to be applied to other objects, unless “war shall occur with any foreign power.” Upon this contingency *alone*, they may direct any surplus of the sinking fund to be applied to other objects of the public service—[see 7th § of the act of 3d March 1817, establishing the sinking fund, which is in these words: “Nothing in this act contained shall be construed to prevent the congress of the U. States *if war shall oc-*”

cur with any foreign power, from applying to any object of public service, any surplus of the amount herein appropriated to the sinking fund, which may be left in any year, after paying the interest and *principal which may be actually due and payable by the U. States in conformity with their engagements*; nor shall any thing in this act be construed to repeal, alter or affect any of the provisions of any former act, pledging the faith of the U. S. to the payment of the interest or *principal* of the public debt; but all such payments *shall continue to be made at the time heretofore appointed by law*, excepting only as before provided, that no payments shall be made on certificates which have become the property of the U. States."] Here, then, is an express and solemn pledge made by Congress to the nation at large and to the public creditors, that even the *surplus* of the sinking fund shall not be used for any other purposes than those for which it is pledged and appropriated, excepting only in the event of a war taking place between the U. States and a foreign power. It is scarcely necessary to inform you, that any surplus of the sinking fund must arise either from the circumstance of the public securities being higher in price than the commissioners of the sinking fund are authorised to purchase, or, where there is no stock which can, consistently with the terms of the loan, or with the provisions of the law creating it, be paid or redeemed. The commissioners of the sinking fund are bound by law to apply the ten millions annually appropriated, 1st, to the payment of the interest and principal which may be actually due and *payable* by the U. States in conformity with their engagements; and 2d, to the purchase of the debt of the United States, at the prices fixed by law. The excuse which has been given by the Executive branch of the government for unlawfully applying the surplus of the sinking fund to other objects of the public service is, not that "war has occurred with any foreign power," which is the only possible legal cause which can exist for the diversion of the fund from its legitimate object; but for reasons like those set forth in the annual report of the Secretary of the Treasury on the state of the finances, dated Dec. 10, 1819. He says: "After paying the interest and reimbursement of the public debt, and redeeming the remainder of the Louisiana stock, about 2,500,000 dollars of the sinking fund will remain *without application*, if the price of the public stock should prevent its purchase." He then goes on further to state, that in 1821, '22 and '23, the average sum of 3,000,000 dollars of the sinking fund will also remain without application. He further adds: "Any application of that portion of the sinking fund which, on account of the price of the public stock, may remain unemployed in the hands of the commissioners, to other branches of public expenditure, *if* allowable under the act making the appropriation, would only postpone the period at which additional impositions would be required to meet the public expenditure. Such an application would also have the effect of ultimately retarding the redemption of the public debt." This is all very correct as regards the powers of Congress, or of the administration, to misapply the money appropriated and pledged for the redemption of the public debt. But let us examine that part of the report which relates to the surplus of the sinking fund, and which we are told will remain "without application" or, in other words, which could not, under the provisions of the law, be applied towards the extinguishment of the public debt.

had it in keeping—not in its infancy—but after it had reached maturity, and in the “full-tide of successful experiment.” It is a dead letter on the statute book. Although it is but a few years since it received an accession of 2,000,000 of dollars per annum, its provisions are now totally disregarded, and considered as obsolete, except when it may become necessary for political jugglers to refer to it, for the purpose of helping them out in some miserable scheme of finance, to keep the wheels of government in motion—after a fashion.

We will now take a glance at the report of the committee of ways and means. They say, “If the proposed exchange of Stock shall take effect, and the amount of the sinking fund be continued at ten millions of dollars, the whole debt of the United States, (the 3 per cents. excepted) will be extinguished in the year 1833, except only the sum of one million nine hundred and fifty-two thousand dollars.” The committee then proceed to give us an account of this “whole debt of the United States.” except the 3 per cent Stock, and make the amount *less* by nearly 17,000,000 dollars, than the true amount!—They leave out of their statement the following sums:

1. Unredeemed amount of deferred stock (round numbers)	\$1,700,000
2. Do. do. stock of 1796, now payable	80,000
3. Loan of 1820 (two millions of which are now payable)	3,000,000
4. Loan of 1821	5,000,000
5. Five per cent. stock, subscription to Bank of United States	7,000,000
	<hr/>
	\$16,780,000

Say sixteen millions seven hundred and eighty thousand dollars. Now I will ask, what reliance ought Congress or the nation, to place on this report,—emanating too, as I find it does, from the treasury department? The committee professed to give us an account of the *whole* public debt (the 3 per cents. excepted) and the time in which it would all be reimbursed. The chairman of the committee is, I am told, an experienced merchant and expert accountant.—Can it be possible that he should accidentally have made a mistake of such magnitude. I apprehend not. Besides, the *documents* on which the report is based, came, it seems, from the treasury. Again: the chairman of this committee further reports, that in 1825, 5,350,000 dollars—and in 1826, the sum of 5,707,000 of the sinking fund will be ‘applicable’ in these years to redeeming the principal of the public debt. I hope the honorable chairman of the committee will be called upon in Congress to furnish the process by which he arrives at these results. The same gentleman, in his report of April 1820, told Congress that in 1825 and ’26, there would be a surplus of the sinking fund “applicable” to the payment of the public debt falling due in these years, of upwards of twenty-one millions of dollars. I leave these glaring inconsistencies and downright incongruities, to be reconciled and explained by the committee of ways and means and the Secretary of the treasury. I shall not enter into an examination of their schemes of finance; my chief object in addressing the public being to detect error and expose fraud; but this much I will say—that the legislative body which shall adopt their plans, by making

them the basis of its measures, will be unworthy of the confidence and support of an enlightened and free people.

A Native of Virginia.

P. S.—A few remarks on the subject of public defaulters in my next; and on the letter of the 3d Auditor, recently published. I have yet a little more to say about the treasury department—the ‘unavailable’ funds—and the District Banks—all of which shall appear in due season, let who will be offended. The truth of all these matters, so far as the public is interested, ought to be known, and *shall* be known, as far as I have knowledge of it.

NO. XXII.

There appears to be great exultation among certain editors of newspapers of the court party, and particularly by those of the National Intelligencer, because the debts due from individuals to the U. States for more than three years prior to the 30th September last, and standing on the books of the third auditor, have been reduced to a little less than *six millions of dollars*. Every well-wisher to his country ought to feel, and no doubt will feel, gratified at this event, provided that, in the settlement of the accounts, nothing has been admitted to the credit of any one but what was fair, lawful and just—and that no *dispensing* power has been exercised by the head of the war department in any of these cases. If, in any case, any such power has been exercised by the secretary of war, it was an act of *usurpation* in him; for the law gives him no authority to exercise any such power. Time will probably show whether it has been exercised or not.

No one ever contended, I believe—I certainly never did—that the whole amount contained in the third auditor’s statement of last year was actually due from individuals to the public. No one could, in the face of the abstract, so contend; because, in some instances, the contrary was therein expressly stated.—But does it follow, because all the money charged on these books was not due, that no part of it was due? All that was alleged in behalf of the people was, that vast sums of money were *actually* due to the public, growing out of the immense and improvident advances which had been made to *certain individuals closely connected with those to whom the people had confided the care of the public purse*; that these favorites of the administration, instead of applying the money “advanced” to them to public use, had applied it to *their own uses and purposes*; and that *they* were therefore actual delinquents and public defaulters.—Now who is there that will openly deny this. The National Intelligencer has, to be sure, more than once *insinuated*, that there was nothing due from these favorites, and that the

whole of the third auditor's statement exhibited, [I will use the editor's own language] "exparte and unsettled accounts." This was the only inference which could be drawn from their remarks on the subject, and this was the impression intended to be made on the people. Had it not been for gross and palpable misrepresentations like this, coming as they did, from a quarter which every body looks upon as official, it is probable these numbers never would have met the public eye. The studied and close concealment of the Court paper, of the facts relating to public defaulters, was of itself pretty strong evidence, I think, that every thing was not right. Acting up to their *professions*, they ought, unquestionably, long ago, to have come out plainly, and honestly told the people the truth, the *whole* truth, and nothing but the truth, in relation to these matters, as well as others in which they have a deep interest. But instead of acting like honest sentinels over the people's rights, the court papers, and the *Intelligencer* at the head, not only carefully conceal the facts, as far as they can, but they have had the hardihood, when the administration is charged with these abuses, to deny their existence altogether. This conduct is not to be wondered at, if one could bring himself to suppose, that these men were, "in some shape or another," bribed to keep the secrets of their high patrons in power. In the different messages of our present Chief Magistrate to Congress, has *he* ever once made allusion to the great losses which the United States would be likely to sustain by the defalcations of individuals to whom the public money had been entrusted, or who were otherwise public delinquents? Has *he* ever recommended the adoption of more prompt and efficient measures for the recovery of the public dues! Has *he* ever told the nation of the villainous conduct of public debtors, who, to avoid payment of their just debts, have made fraudulent and collusive assignments and transfer of their property. But has he not, indeed, after a perfect knowledge of their delinquencies, retained them in office—thus affording them the power and the means of committing still further delapidations and frauds on the public treasury? Was not a late delinquency in North Carolina of a Collector of the Customs known to the government before he had absconded with a hundred thousand dollars of the public money in his pocket!—But the public will not see this defaulter reported to Congress probably for three years to come. And there are many more in the same situation, and to a greater amount, *rather nearer to the President's house*. Deny this who dare, and the proofs shall be exhibited. And yet, notwithstanding all this, and a great deal more, we are informed, or it is at least intimated, that there are no balances actually due to the public, but that the lists merely exhibit "exparte and unsettled accounts."

When the editors of the Court paper at Washington lately took occasion to tell the public how much they were "pleased" that the balances now standing on the books of the third auditor, [and which had been due for more than three years prior to the 30th September last] amounted only to the paltry sum of five millions seven hundred thousand dollars. I think candor, and a due regard to their promise, [as set forth in the prospectus of their paper] to give correct official information, ought to have induced them to have said a little more on that subject. They ought, I think, to have told the people, [and a great many would have thanked them for the information, supposing, as they now do, that the third auditor's books contain accounts of all the debts

due the United States] that there are a great many public defaulters, and to very large amounts, whose accounts are kept on the books of the second auditor; that there are others, and to still greater amount, who are exhibited on the books of the fourth auditor, many of whom are stated to be delinquents from one hundred, to upwards of five hundred thousand dollars each—and all these balances due “more than three years prior to 30th September last”—that there were immense sums of money standing to the debit of individuals on the books of the Register of the Treasury, for debts due to the Post Office Department, for advances on account of the Civil List, the Diplomatic Department, &c. for defalcations on collecting the Customs, the Internal Revenue and Direct Tax; and that, besides all these, there were enormously large sums due from United States’ District Attorneys, from Marshals, and from the Clerks of the Federal Courts.—In short, these gentlemen editors ought to have told the people, if they had been disposed to tell the *whole* truth, about this matter, that the public money remained in the hands of every Shylock and improvident knave in the country, from Maine to New Orleans, who could make out to squeeze his snout in the Treasury trough, or collect it from the people in the shape of taxes. This is, in sober truth, no exaggerated statement, as the records of the country will fully show. And yet we are called upon to offer up praises “to the powers that be,” because, forsooth, there are *only* about six millions of dollars due to the people *on one set of books*.—I still adhere to my former opinion, that, altogether, there is due to the United States from individuals, about the sum of twenty millions of dollars, exclusively of the land debt. I mean *justly and fairly due*—for I cannot tell how much of this will be paid, or wiped off, by the illegal exercise of *dispensing powers*. And all these evils, and a great many more, we endure merely from the want of a plain, honest, straight-headed, unsophisticated man to preside over us, who would pay regard to his oath of office, and to the constitutional injunction—“*To take care that the laws are faithfully executed.*”

In my next number I propose taking some notice of the letter of the third auditor, which accompanied his last report of balances. If the remarks which I shall then make shall ever meet his eye, he will, I think, regret that he ever wrote the letter. He has therein betrayed an ignorance of the laws and the legitimate powers of the public departments, that could hardly have been expected.

A Native of Virginia.

NO. XXIII.

IN the letter of the Third Auditor of the Treasury, dated the 26th December last, and which accompanied the abstract of balances standing on his books for more than three years—the following remarkable paragraph will be found. “If provision were made by law authorising the accounting officers to settle accounts originating prior to the 1st July 1815, upon the production of the best evidence each case would admit of, and such as would probably be received in Courts of Justice, and limiting the amount of credit to be given each individual to the amount of money advanced him, it is conceived no injury to the public would ensue: for if on a trial of a suit, it shall be made appear by a defendant, to the satisfaction of the Court and Jury, that the money in dispute has been expended for the public services, it is highly probable credits will be awarded, notwithstanding any *informalities* in the vouchers. And the adoption of the course suggested would have the effect of preventing many personal applications to Congress, and of considerably diminishing the outstanding accounts on the books of this officer”—Now at first view all this looks fair & reasonable enough. But I think I shall be able to make it appear to the satisfaction of every reflecting mind, that there is something more intended by the above paragraph than fairly meets the eye. I do humbly hope to convince every man whose mind is not warped by interest or prejudice, that there exists, in truth, no good reason or necessity for legislative interference in this case; and that should it take place in the way which has been suggested, it would operate as an indemnity or act of oblivion towards most, if not all the parties concerned: and therefore would, most certainly, as the third auditor predicts, have the effect of considerably diminishing the outstanding accounts on the books of his office.”

The third auditor certainly does know (no one, I should suppose, knew better) that the *laws* of the United States do not prescribe (except in a few particular cases, not worth mentioning) the form or even the *kind* of voucher which shall be produced to authorize a credit for money expended under the military appropriations. The evidence of expenditures of this kind, and the particular form in which that evidence shall be exhibited, have been prescribed, not by acts of the legislature, but by *departmental regulations*. Congress, in establishing the different departments of government, provided, generally, for the settlement of the accounts, and the production and preservation of the *vouchers*—without entering into a detail (a thing impracticable to be done from its nature) of the particular forms and kinds of proofs of the disbursements of the public money. It was confided to the executive branch, and, principally to those acting ministerially, to do this. If this be the case, and no one will I imagine publicly deny that it is—where, it may be asked, is the necessity, in any case, of passing a law, (many such have been passed of late) directing the proper accounting officers to settle an account, “*on the principles of equity and justice*,” and without stating what charges against the public shall be admitted or what shall not be admitted? I answer—there can be no necessity for such an act; be-

cause it confers no power on the department which did not before exist. Such a law leaves the case precisely where it was before the law passed. It has, however, to say the least of it, a very odd and singular appearance on the statute book—because, by necessary inference, it presupposes that the previous acts of Congress for the adjustment of accounts against the United States, did not authorise them to be settled in conformity to the principles “of equity and justice;” and thus, in effect, as it would seem, pronounces a severe censure on the permanent laws of the land.

The first special interposition of Congress, in a case of this kind—though there may be some other of a prior date—was, I think, in the year 1806—7, about the time of the beginning of mis-rule and extravagance. It was the case of William Eaton, a Consul of the United States at Tripoli, and afterwards better known by the name of General Eaton, *the hero of Derne*. It was found, (as I have it from the very best authority,—and the treasury books can be referred to for the proofs) after this gentleman’s return from his Barbary mission, in 1804, that he owed the public a large sum of money. And this sum appeared against him after what was then supposed to be a *final* settlement, made, [as I trust, for the honor of the country, all the public accounts are] on what was then conceived to be, “the principles of equity and justice.” This settlement was made too under the sanction and “direction” of the Secretary of State, under whose sanction and “direction” all settlements of accounts, relating to our foreign intercourse, are made. It is true, Mr. Eaton made many charges in his account, which Mr. Madison, then Secretary of State, [probably by the advice of President Jefferson] would not admit. A heavy one, for example, was not allowed, if my informant’s memory be correct—namely, for the gallant act of “ransoming a Sardinian nobleman’s daughter” in whose unfortunate case our consul had taken, as it would seem, a deep interest. Our rulers in those days, however, [1804,] did not think this expense ought to be saddled upon the good people of the United States and accordingly it was, with many others, then deemed equally inadmissible, *rejected*. So the matter rested until about the time Burr’s famous conspiracy was ripening to a head. Meanwhile Mr. Eaton was petitioning Congress for relief. It is certain, however, that no “relief” was granted until *after* he had made his noted deposition at the capitol against Burr, and on which, I think, some other persons of distinction were arrested. Then it was, by some contrivance or another, I will not say what, that the Congress of the United States were induced to make this short act. “That the accounting officers of the Treasury be, and they are hereby authorised to settle and adjust the accounts of William Eaton, late Consul at Tripoli, UPON JUST AND EQUITABLE PRINCIPLES UNDER THE DIRECTION OF THE SECRETARY OF STATE.” This act left Eaton precisely in the same situation in which it found him. It did not give the accounting officers of the treasury nor the secretary of state, one particle more power than they before possessed and had been constantly in the habit of exercising. And yet, strange and unaccountable as it may appear, the accounts of Eaton were, by virtue of this act, and *thus ab-ne*, re-adjusted; and not only the balance reported against him, BY THE SAME PERSONS AND UNDER THE SAME AUTHORITY, was wiped off; but an actual balance was reported in his

favor, of about 12,000 dollars, which he received from the Treasury of the United States! So much for the operation of a harmless inoffensive law, as this was called, and to which many an honest member of Congress would not withhold his assent, because the *real* use and purposes for which it was obtained by the master spirits, would never enter into his imagination. By tricks and contrivances like this, the purse-proud public defaulter is enabled to ride rough-shod over the productive classes whom he has gulied and cheated out of their money—for these are the persons, at last, who pay it for the use of the Treasury.

Since this "act was passed for the "relief (as it is called) of William Eaton" the statute books have been filled with similar ones—to the great and manifest injustice [I hazard nothing in saying it.] of the people of the United States. But what has heretofore been done by piece-meal, the Third Auditor now proposes, in effect, to have done by wholesale—in other words, by a single sweep to extinguish a debt due to the public of about seven millions! And wherefore?—When I see the names of the defaulters, I will be better able to tell you. But there is another reason. It may, perhaps have a tendency to render the Secretary of war, or the administration, *unpopular* to have such a large amount of the people's money yearly exhibited to be in the hands of contractors and others who have no just right to it. Let Congress pass such a law as is requested, and then two years afterwards, let an honest unprejudiced committee of investigation be appointed to examine and see *how it has been executed*—then the whole secret of the matter will appear—not that I believe the Third Auditor would of *his own accord*, and upon his own responsibility, act improperly in any of these cases: but we do know, that the power over a man's support is, generally, a power over his will; and it is also known, and can be proved, that DISPENSING powers, to a considerable and alarming extent, have been exercised by the heads of our public departments, in cases where the law confers no such prerogative. But after all, can any one for a moment suppose, that on the production of such a voucher, for the disbursement of public money, "as would probably be received in a court of justice;" the public departments would not feel themselves at liberty, under existing laws, to admit the same as evidence of the expenditure of the money? To say that they would not, would be to claim for these functionaries more purity, greater circumspection, more regard to justice and the public interest than belong to our courts of law—even to those of the last resort, where every litigated case, if it will admit of it, in which the public is concerned, ought to be carried. —The whole secret of this matter, however, lies here.—In better days than those in which we live—when the Father of his country ruled, and had a share in the direction of its destinies—when that great man was President of the United States, [and he was, strictly speaking, the only president of the people we ever had—each of his successors being president of a party]—when that just and virtuous man, I say, of untarnished fame and reputation presided as chief magistrate of this country, and under whose auspices and direction the administration of our public affairs was conducted—certain "RULES AND REGULATIONS," touching the settlement and adjustment of all accounts for the expenditure of public money authorised by law, were laid down and established. It is these rules and these regulations which, in these our days, some people have found it not quite convenient to conform to—and hence re-

sort has been had to Congress for the passage of laws authorising accounts to be settled "on just and equitable principles!" Under cover of such laws, the good old rules are laid aside, or transgressed; for even yet, no man in power has the hardihood altogether to disregard them without some legislative act—(however unfair the use which may be made of it) to screen him from public reprehension. If this exposition, which I have endeavored to make plain and simple, shall happen to meet the eye of any one of your representatives in Congress now assembled, I hope it may have the effect of causing some investigation into the subject at least, before the suggestions contained in the Third Auditor's letter, before mentioned, shall have been acquiesced in or adopted.

That there may be some individual cases of hardship, requiring legislative interposition, I do not doubt. But before any act for the purpose of affording relief is passed, Congress ought faithfully to investigate the claim and give such specific relief as the nature of the case may, in justice require.—The people ought always to view with a suspicious eye that department, or that *man*,* (particularly if he has any thing to do with wielding the sword) who will advise Congress to part from powers which properly belong to them, and delegate them to one who is "willing to incur great responsibility."

A Native of Virginia.

* The 3d Auditor is not here alluded to. He acts under authority of others,

NO. XXIV.

If the facts and the reasoning contained in my last communication do not convince you of the injurious effects on the public interest, by the passage of laws authorising accounts between the United States and individuals to be settled "on just and equitable principles,"—I will now proceed to state to you another case of this kind, transcending, perhaps, in enormity, any other upon record. I mean so far as concerns the conduct of the officer who had to decide finally upon the account.

The case to which I allude, is that of John H. Piatt, contractor for supplying the army with provisions. In the list of balances transmitted by the third auditor of the treasury, for the year 1821, this person is stated to be indebted to the U. States, on settlement, in the sum of 48,230 dollars 77 cents; and the auditor further states, that "an additional sum of 12,855 dollars 17 cents is chargeable to his account"—so that the whole balance against him amounted to 61,085 dollars 94 cents—to which is subjoined the following remark:—"credits have been allowed by the *second comptroller*, under the act passed for his relief, exhibiting a *balance in his favor*, which will be entered *when the balance*

is paid." The singularity of these remarks induced me to recur to the law passed "for the relief" of Mr. Piatt, which, I find, is dated the 8th May 1820. It is in these words: "That the accounting officers of the treasury department be, and they are hereby authorised and required, to settle the accounts of John H. Piatt, including his accounts for transportation, *on just and equitable principles*. [here it is again] giving all due weight and consideration to the settlement and allowances already made, *and to the assurances and decisions of the war department*—[who ever before heard of legislation like this?] *Provided, that the sum allowed under the said assurances, shall not exceed the amount now claimed by the U. States, and for which suits have been commenced against the said John H. Piatt.*" Thus it appears, that after a final settlement of Mr. Piatt's accounts had been made, [and no disinterested man will, now-a-days, suspect our public departments for allowing an individual *less* than he is justly entitled to] after a balance of more than sixty thousand dollars had been reported against him: and after suit had been instituted for the recovery back of the public money which it was alleged he had wrongfully withheld,—the Congress of the United States were induced, from some cause or another, in the year 1820, many years after the defalcation had taken place, to pass the act for his relief which I have just stated! It is not my intention, however, to discuss the merits of Mr. Piatt's claim; but simply to state some *facts* in relation to it, which may enable you to judge of the *manner* in which your public affairs are conducted at the seat of government. These "assurances from the war department," referred to in the law, I understand to have been made by Mr. Monroe, when acting as secretary of war.* They are said to have been some *private verbal* "assurances," the exact nature and extent of which are, I believe, entirely unknown to every body excepting only to the "high contracting parties" themselves. Be that matter, however, as it may, I will do the third auditor of the treasury the justice to say,—that in the re-statement of Mr. Piatt's account, *he* did not act directly in the teeth of the law, which expressly forbade the allowance of any sum, under these *assurances*, which would "exceed the amount claimed by the U. States, and for which suits have been commenced against the said John H. Piatt." Not so, however, with the second comptroller. He, as it would seem, regardless of the law and of his duty to the public,—not only struck off the whole of the U. States' claim against Piatt, but, *reversing* the decision of the third auditor, awards to the claimant a large sum of money, to be paid to him out of the public treasury!! This daring and illegal decision of the second comptroller excited, I understand, some wonder and surprise even among those who had not themselves paid the most scrupulous regard to your interests in the disbursement of your money:—hence, the balance reported in favor of Piatt was not paid for want, as

* This distinguished personage formerly acted in various characters and capacities. He once acted, it is said, on a memorable occasion, as commander in chief of our army, at the same time that he held no other commission than that of secretary of state. As the result of the affair was such, as that no one concerned in it (on our side, at least) could obtain credit or gain laurels, it is supposed that the high personage in question does not wish to be considered as having had any immediate agency in the matter. But history, no doubt; will do him justice in this as well as in some other things.

it is said, *of an appropriation*. And so the matter probably yet rests. But this want of a proper appropriation out of which to pay the money, did not, it seems prevent Mr. Piatt from at once profiting by the munificence of his friend and benefactor, the second comptroller, Mr. Cutts:—for, finding that the money was not to be had, for the reason just stated, Mr. C. gives to his friend *a certificate*, as I understand and believe, setting forth the sum of money which he found to be due to Piatt on the final settlement of his accounts.

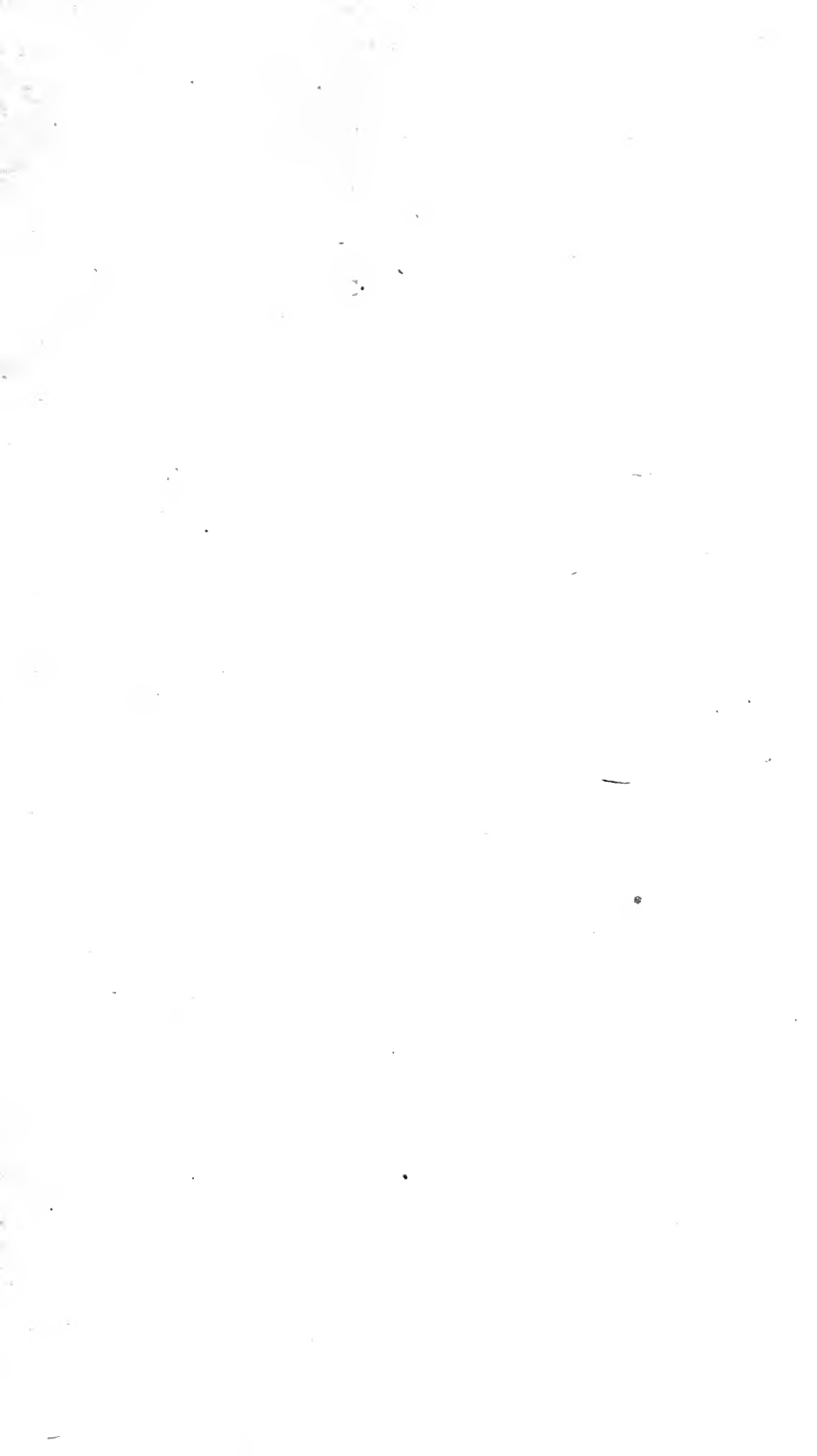
This certificate, this good evidence of debt, as it was called, was *traded* or assigned to certain merchants in the purchase of goods. Whether it was received at its nominal or par value, I am not able to say; but I hazard nothing in saying that Congress will be called upon [if they have not been already] for payment of both principal and interest of this alleged public debt. They will no doubt be told [and perhaps justly too, if there was no collusion in the transaction,] that the *faith of the nation* is actually pledged to pay to the present holders of the evidence of this debt the full amount of it, together with the interest on it which has accrued.

Now, fellow citizens, let us stop here—and pause for a few minutes, to see how this matter stands. Here is a man, to whom is confided a most important public trust. He is placed as one of the sentinels at the door of the public treasury. He is vested by law with the important power of deciding, *in the last resort*, upon claims against the public to the amount of millions of dollars. He has shamefully, as I say, and as every honest man must say, violated the plain letter and spirit of the law, under which he acted.

He has given a certificate of a debt being due from the public, which he *knew* did not legally exist. And what then? Has the President dismissed him from office? No. Has the House of Representatives preferred articles of impeachment against him? No—for the members, perhaps, as a legislative body, know nothing of the matter. And what then? Why—the *second comptroller of the treasury remains in the full enjoyment of all the benefits and emoluments pertaining to his office, without so much as having been called to account for this flagitious conduct, which took place directly in the view of him whose duty it is, "to take care that the laws are faithfully executed."* Further comment or remark on such a transaction cannot be necessary. The case is now before the nation; and we shall see whether your representatives will do their duty.

A Native of Virginia.

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